

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
NORTHERN DIVISION

UNITED STATES OF AMERICA,)
Plaintiff,)
vs.) CRIMINAL CASE NO. CCB-16-0267
DANTE BAILEY, et al.,)
Defendants.)
_____)

Wednesday, April 17, 2019
Courtroom 1A
Baltimore, Maryland

BEFORE: THE HONORABLE CATHERINE C. BLAKE, JUDGE
(AND A JURY)

VOLUME XVII

For the Plaintiff:

Christina Hoffman, Esquire
Lauren Perry, Esquire
Assistant United States Attorneys

For the Defendant Dante Bailey:

Teresa Whalen, Esquire

Reported by:

Douglas J. Zweizig, RDR, CRR, FCRR
Federal Official Court Reporter
101 W. Lombard Street, 4th Floor
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1 For the Defendant Randy Banks:

2 Brian Sardelli, Esquire

3 For the Defendant Corloyd Anderson:

4 Elita Amato, Esquire

5
6 For the Defendant Jamal Lockley:

7 Harry Trainor, Esquire

8 For the Defendant Shakeen Davis:

9 Paul Hazlehurst, Esquire

10
11 Also Present:

12 Special Agent Christian Aanonsen, ATF

P R O C E E D I N G S

(10:17 a.m.)

THE COURT: Good morning, everyone.

Okay. What are the issues, if any, that need to be resolved before we bring back the jury?

MS. WHALEN: I'm not sure where to start, but I will.

We passed up to Your Honor GP-18 last night, and that is a letter from G that was found at Kevin Forrest's location.

THE COURT: I'm sorry. It was found where?

MS. WHALEN: At Kevin Forrest's residence.

THE COURT: Yes.

MS. WHALEN: So the Government has provided this morning a redacted version, but there are additional things that I would request be redacted.

THE COURT: Okay.

MS. WHALEN: Would it be easier for me just to hand up --

THE COURT: Yes. I did take these home last night. I've read the letter. I assumed that there would be certain redactions and certain things that would come in.

I'm happy to see on your copy what else you want redacted.

MS. WHALEN: I have highlighted everything that I would like to have out.

THE COURT: Okay.

1 **MS. WHALEN:** And then this is the Government's.

2 So it's essentially more in Paragraph 1 and more on
3 the second page (handing).

4 **THE COURT:** Okay. So let me hear from the Government.
5 I guess I would have thought that the first page could stop
6 somewhat earlier, maybe around the -- let's see, one, two,
7 three, four, five, six, seven, eight, nine, tenth -- tenth
8 line, ending with "at all."

9 I don't see why we would go into the lines about
10 allegedly killed or got killed, lives saved, money that other
11 people supposedly have.

12 **MS. PERRY:** So, Your Honor, I don't know that I
13 strongly object to making those redactions. Certainly, from
14 the Government's perspective, the parts about him collecting
15 money, he references Weezy and Dot, who are people who come up
16 as potential co-conspirators. The idea that Mr. Bailey is in
17 jail and still attempting to have people on the street collect
18 money for him, I think, is relevant and goes to other evidence
19 that we have in the case.

20 And I think that the letter overall and the way that
21 he is speaking to Hollywood certainly establishes them as
22 co-conspirators and establishes a relationship. And the
23 content of the letter, certainly I agree that the parts about
24 Mr. Bailey's confinement and other people's pleas is not
25 appropriate.

1 But I think it does go to the intent of the other
2 letter that's recovered that he's asking Hollywood to do
3 something for him; he's expecting that people on the street
4 will do these things for him; and it goes to his intent and
5 the -- really informs the nature of that other letter, which we
6 believe is a hit letter.

7 But, I mean, I don't --

8 **THE COURT:** Right. And I agree with you up to a
9 point. It is important to corroborate and provide context for
10 the other letter, but I think you sort of get that with the
11 first ten lines.

12 I mean, the part about Weezy and Dot and John are more
13 about that they're out in society, and then there are some
14 other things that just are not relevant to the facts of this
15 case.

16 **MS. PERRY:** Certainly, Your Honor. So if I redacted
17 after the word "all" in that line we were speaking of, so
18 redact "from anybody" through the end of the first page?

19 **THE COURT:** That would be my proposal.

20 Ms. Whalen, you can tell me why that's not enough,
21 but . . .

22 **MS. WHALEN:** Excuse me. The line starting at -- one,
23 two, three -- fourth line, and it begins with, "The majority of
24 dudes now thrive off my downfall," I think what he's talking
25 about there is people out on the street badmouthing him and

1 trying to maybe step into his shoes. But that's not talking
2 about this conspiracy.

3 So I think it's irrelevant. His views on their
4 talking about him and to him that's treason I think is
5 irrelevant and overly prejudicial and gives the appearance of
6 something that it's not. I mean, if you literally read it,
7 he's talking about the other people on the street, not even his
8 co-conspirators.

9 So I would ask that it go up to "the majority of
10 dudes."

11 **THE COURT:** But I think there's an important line that
12 follows that that's: "I do not want anything from them, Wood.
13 I am content with whatever you do."

14 I mean, it's the contrast between the people that are,
15 you know, degrading and defaming him and his expression that
16 Wood, he knows, is going to be loyal to him.

17 So I don't see anything -- I mean, it's not as though
18 he threatens to kill these other people. He just says he
19 doesn't appreciate what they're saying about him.

20 All right. I'm going to permit the Government to go
21 through the "at all," take out the rest of the first page.

22 On the second page, I think the problem with what the
23 Government wants to leave in is that it doesn't really make any
24 sense other than in the context of people that pled guilty.

25 And that is completely improper to put before the jury.

1 If we want to leave in the part about the books,
2 that's fine. But I think the rest of that paragraph, it just
3 has to come out, given what it's following up on.

4 **MS. PERRY:** Your Honor, I respectfully understand your
5 point. I do think that it is a little bit tricky to parse it
6 out from the parts about talking about the plea.

7 I think that the line alone, "How can I say I don't
8 know what MMP is or it was something in a book when these fools
9 already agreed it was real?" is particularly relevant, given
10 the defense in the case.

11 I do -- again, I understand Your Honor's position. I
12 do think that in and of itself --

13 **THE COURT:** Who are the fools that agreed it was real?
14 I think that's the problem. And he's not -- he's still not
15 admitting that it's real. He's just saying that it's harder
16 for him to say that it's not if other people are saying
17 something different.

18 **MS. PERRY:** Understood.

19 **MS. WHALEN:** Just for the record, Your Honor, maybe I
20 should mark my highlighted copy as Defense Exhibit 9 for ID
21 only.

22 **THE COURT:** Sure. I'll be happy to give it back to
23 you.

24 I think we understand where we are now. But when the
25 Government makes its final redaction, if you can just show it

1 to Ms. Whalen.

2 But, Ms. Whalen, if you want these back.

3 **MS. WHALEN:** Sure. Thank you.

4 **MS. PERRY:** And certainly I will show the redacted
5 version to Ms. Whalen. I do think that we will discuss,
6 perhaps over the break, before it comes in. And there may be a
7 chance that we don't seek to introduce it at all, but we will
8 certainly let Ms. Whalen know that.

9 **THE COURT:** All right. So this is not something we're
10 getting to immediately.

11 Could we possibly get the jury in and get some or is
12 there any immediate thing to -- Mr. Trainor?

13 **MR. TRAINOR:** Yes. I did have a couple of objections
14 pertaining to Mr. Lockley.

15 **THE COURT:** Okay. And pertaining to something that's
16 going to come in now?

17 **MR. TRAINOR:** There was Exhibit GP-15 that I handed up
18 to the Court yesterday afternoon, which was --

19 **THE COURT:** Oh, you gave me this, GP-15, yes, this
20 sort of --

21 **MR. TRAINOR:** It was taken during a cell search by
22 Officer Canty. It consists of basically three things. I think
23 there are six phone numbers that don't appear to be relevant.

24 There are three photographs that appear to be
25 cumulative. And there are 13 pages of profane rap lyrics.

1 **THE COURT:** Was this from Mr. Lockley's cell?

2 **MR. TRAINOR:** Yes. Whatever relevance they may have,
3 they're substantially outweighed by the prejudicial impact.

4 **THE COURT:** Let me interrupt you and just ask the
5 Government if you were actually planning to offer these things?

6 **MS. HOFFMAN:** Well, yes, we are planning to offer
7 portions of the documents recovered from Mr. Lockley's jail
8 cell. And there are a number of relevant, probative lines.

9 For instance, on Page 1, Mr. Lockley says [reading]:
10 Omertà, shh, mouth won't speak a peep, snitch bitch CI from the
11 start. K a nigga down, 6 to the heart. Mob, mob, double time,
12 beat the heart.

13 Obviously, Mr. Trainor has an argument that these are
14 just rap lyrics. There was no truth to them.

15 But we've also heard testimony during this case from
16 William Banks and from Jay Greer that the members of this
17 conspiracy did rap about Murdaland Mafia and did rap about
18 real-life events and real situations. And so I think that that
19 line about Omertà, about mob, mob, double time, beat the heart,
20 it is --

21 **THE COURT:** I'm sorry. Maybe the pages are not in
22 order and they're not numbered, but I'm not seeing -- the first
23 page in order that I have of the yellow -- this is on the
24 yellow thing; right?

25 **MS. HOFFMAN:** I'm not -- I didn't actually see exactly

1 what -- so this is the first page of the exhibit. This is
2 GP-15.

3 **THE COURT:** Oh, okay. Literally, the one with the
4 phone numbers?

5 **MS. HOFFMAN:** And we don't care, but we're happy to
6 redact the phone numbers, if that's -- if that's an issue.

7 The part that I'm referring to is up above here where
8 he says [reading]: Omertà, shh mouth, won't speak a peep,
9 snitch bitch CI from the start. K a nigga down, 6 to the
10 heart. Mob, mob, double time, beat the heart.

11 These are references to Murdaland Mafia. They use the
12 heartbeat, double time. He's referring to a "snitch bitch CI
13 from the start." I think that's a reference to trouble.

14 And Omertà obviously is a reference to the oath of
15 Murdaland Mafia. And there are other references in the same
16 set of documents to Mr. Lockley's association with the gang.

17 And Mr. Lockley, it's been a consistent theme
18 throughout the case that Mr. Lockley was not an actual member;
19 he was a 5200 boy; and there have been attempts to distance
20 himself from the gang.

21 And so I think these writings in his own hand, even if
22 they are written as rap lyrics, which I'm sure Mr. Trainor will
23 point out, they certainly show his association -- his
24 affiliation with the gang.

25 And they reference wanting to retaliate against

1 witnesses against the gang.

2 **MR. TRAINOR:** Your Honor, on the very first page, it
3 clearly says "Kevin Gates Beat."

4 Kevin Gates is a major hip-hop/rap artist who I
5 learned about on the Internet, but he has a contract with
6 Atlantic Records.

7 The beat is the tune.

8 These lyrics are typical rap lyrics.

9 The only information -- Mr. Lockley has been sitting
10 in a cell for like 30 months awaiting trial with his
11 indictment.

12 It's just -- you know, "F the feds," that's sort of an
13 attitude someone might have after 30 months of awaiting trial.

14 It's just so prejudicial that it clearly outweighs any
15 relevance to this case.

16 **MS. HOFFMAN:** Your Honor, we have no problem with
17 redacting the "fuck the feds" part. But, I mean --

18 **THE COURT:** This is just page after page after page of
19 very repetitive attempted rap lyrics.

20 **MS. HOFFMAN:** Your Honor, one of the -- I've mentioned
21 one defense theme in this case pertaining to Mr. Lockley, which
22 is that he was only a 5200 boy; he wasn't affiliated with the
23 mob.

24 Another consistent theme of the defense case has been
25 that they were aspiring rap artists and that the Government is

1 targeting them because they were rappers and none of the rap
2 lyrics are based in truth.

3 It is not -- it's not fair for the defendants to use
4 rap as a defense and then inoculate themselves from particular
5 lyrics in which they actually claim -- they actually advertise
6 their affiliation with the gang that they were a part of.

7 We are certainly happy to redact portions and to
8 limit -- we could limit this even to that portion I just
9 highlighted on the first page.

10 So, for instance, the "Omertà, shh, mouth won't speak
11 a peep, snitch bitch CI from the start," that portion that I
12 just read into the record I think is highly relevant. I think
13 he is -- whether it's a rap lyric or not, he's advertising his
14 affiliation with the mob, with Murdaland Mafia. He's using the
15 specific language that they use, heartbeat and double time and
16 referencing the Omertà code.

17 I think it's far more probative than it is
18 prejudicial, and Mr. Trainor is free to argue that it's simply
19 a rap lyric. But I think that goes to the weight and not to
20 the admissibility of it.

21 **MR. TRAINOR:** It's not only simply a rap lyric. It
22 was never published anywhere. And there's no -- there's no
23 evidence that it was intended to be communicated to anyone
24 else.

25 **MS. HOFFMAN:** And it's still a statement by a

1 party-opponent. We don't have to show that it's in furtherance
2 of the conspiracy.

3 **THE COURT:** Okay. I'm going to sustain the objection.
4 I don't see it as a statement by a party-opponent when it, in
5 the format that it's in, referencing -- the fact that he
6 chooses to reference Omertà or double time or heartbeat is very
7 different from, as Mr. Trainor just said, a lot of the other
8 social media rap music videos, et cetera, were apparently
9 produced during the time period of the conspiracy.

10 And I understand that's part of your theory, is that
11 they're relevant because they were used in the course of the
12 conspiracy to advertise, promote themselves, maybe intimidate
13 other people. That's part of the theory.

14 The fact that -- what I'm understanding is that these
15 were written sometime while Mr. Lockley was confined. They
16 didn't go anywhere.

17 He could just as easily be making up lyrics about
18 other people that he happens to know. I just don't think it
19 has that probative value that you are attributing to it, and I
20 think it has a great risk of being prejudicial, unfairly
21 prejudicial.

22 So I'm going to sustain your objection.

23 **MR. TRAINOR:** Your Honor, one brief objection,
24 unrelated to that.

25 Mr. Lockley has asked me to object to playing any more

1 calls that have already been played.

2 I've noticed last night that the Government seems to
3 be going through the overt acts in the indictment, and there is
4 TT-3-6173 that would relate to Overt Act 128. I believe that's
5 already been played.

6 And there's J-65 that relates to Overt Act 129. I
7 believe that's already been played as well.

8 So if the Government intends to play those, I object.

9 **THE COURT:** Okay. I recall this came up yesterday,
10 but the Government had a reason for replaying it.

11 What is the situation here?

12 **MS. HOFFMAN:** We have eight more calls to play. I
13 don't believe any of them have been played before, but I missed
14 the -- Mr. Trainor, could you say the number one more time of
15 the --

16 **MR. TRAINOR:** TT-3-6173 and J-65.

17 **MS. HOFFMAN:** And J-65. Those will not be played
18 today.

19 **MR. TRAINOR:** Thank you.

20 **THE COURT:** Mr. Hazlehurst.

21 **MR. HAZLEHURST:** I apologize, Your Honor, first of
22 all, for being late this morning.

23 Second of all, Your Honor, very briefly, it is my
24 expectation that the Government will re-call Agent Moore and
25 seek to get into cell phone or CELL-3-A, Exhibit CELL-3-A. At

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1 the end of that exhibit, there are, again, somewhat similar to
2 Mr. Trainor's argument, what appear to be rap lyrics. They are
3 not handwritten, obviously. They're on the phone.

4 I have blown them up because in the actual exhibit,
5 they are difficult to see. But I would like the Court to have
6 them. When Agent Moore is prepared to testify, I would be
7 prepared to argue that and move in limine to exclude those
8 under 403.

9 **THE COURT:** All right. You want me to take a look at
10 them?

11 **MR. HAZLEHURST:** Yes, ma'am.

12 **THE COURT:** That's fine.

13 And we can get the jury and finish
14 Special Agent Aanonsen.

15 **MR. HAZLEHURST:** (Handing.)

16 (Jury entered the courtroom at 10:40 a.m.)

17 **THE CLERK:** Agent Aanonsen, you're still under oath.

18 **THE WITNESS:** Yes, ma'am.

19 SPECIAL AGENT CHRISTIAN AANONSEN, GOVERNMENT'S WITNESS,
20 PREVIOUSLY SWORN.

21 **THE COURT:** Thank you.

22 If you want to continue, Ms. Hoffman.

23 DIRECT EXAMINATION (CONTINUED)

24 **BY MS. HOFFMAN:**

25 **Q.** Good morning, Agent Aanonsen.

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1 **A.** Good morning.

2 **Q.** When we left off yesterday, we were talking about some
3 wire calls intercepted over Jamal Lockley's cell phone in the
4 summer of 2016. And I have about eight more calls to play for
5 you.

6 I'm going to start by playing TT-3-6120, and this is on
7 Page 206 of the binder.

8 Can you start by telling us the date and time of this
9 call.

10 **A.** Sure. August 11th, 2016, 10:17 a.m.

11 (Audio was played but not reported.)

12 **BY MS. HOFFMAN:**

13 **Q.** Did you recognize the voices of any of the people on that
14 call?

15 **A.** Just Jamal Lockley.

16 **Q.** And did you hear when the unidentified person in the call
17 said [reading]: Last time I came down, your runner shorted us
18 like .3 on each gram?

19 **A.** I did.

20 **Q.** Did you intercept additional calls over Jamal Lockley's
21 cell phone between Jamal Lockley and Corloyd Anderson?

22 **A.** Yes.

23 **Q.** I'm going to play TT-3-6217, which is on Page 228 of the
24 binder.

25 **THE COURT:** I'm sorry. What page is that?

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MS. HOFFMAN: Page 228.

THE COURT: Thank you.

BY MS. HOFFMAN:

Q. And could you tell us the date and time of this call.

A. August 11th, 2016, at 7:40 p.m.

Q. So is this the same day as the call we just listened to?

A. That's correct.

(Audio was played but not reported.)

BY MS. HOFFMAN:

Q. Did you recognize the voices of the participants in that call?

A. Yes; Corloyd Anderson and Jamal Lockley.

Q. And did you hear Mr. Lockley ask [reading]: You already got it?

A. Yes.

Q. And did you hear Mr. Anderson say [reading]: You been dropping a lot of motherfuckin' names lately, yo?

A. Yes.

Q. I'm going to play another call, and this one is TT-3-6777, and it's on Page 229, the next page.

Can you tell us the date and time of this call.

A. August 13th, 2016, at 12:19.

(Audio was played but not reported.)

BY MS. HOFFMAN:

Q. Do you recognize the voices of the participants in this

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call?

A. Jamal Lockley and Jacob Bowling.

Q. And did you hear Mr. Lockley say [reading]: They coming from Security?

A. Yes.

Q. Is there a street in the area by that name?

A. Security Boulevard.

Q. And did you hear Mr. Lockley say [reading]: Parking lot on the right and then twenty top?

A. Yes.

Q. Did you intercept additional calls over this line between Jamal Lockley and Corloyd Anderson?

A. Yes.

Q. I'm going to play TT-3-7327, which is on Page 231.
And can you tell us the date and time of this call.

A. August 15th at 12:18 p.m.

(Audio was played but not reported.)

BY MS. HOFFMAN:

Q. Do you recognize the voices of the people in that call?

A. Jamal Lockley and Corloyd Anderson.

Q. And did you hear Mr. Anderson say [reading]: You know what today is, boy -- or the day is, boy?

A. Yes.

Q. And did you hear Mr. Lockley say [reading]: I'm going to holla at you later on?

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1 A. Yes.

2 Q. I'm going to play another call. This one's TT-3-7392, and
3 it's on Page 241.

4 And can you tell us the date and time of this call.

5 A. August 15th, 2016, 3:33 p.m.

6 Q. Is that the same day as the call we just heard?

7 A. Yes.

8 (Audio was played but not reported.)

9 BY MS. HOFFMAN:

10 Q. Did you recognize the voices of the participants in that
11 call?

12 A. Yes; Jamal Lockley and Corloyd Anderson.

13 Q. And did you hear when Mr. Lockley said [reading]: You get
14 that other girl?

15 A. Yes.

16 Q. And in your experience investigating drug-trafficking
17 offenses, have you learned what the term "girl" means in the
18 context of drug trafficking?

19 A. It's a slang term for cocaine.

20 Q. I'm going to play TT-3-7455. This is on Page 244.

21 And can you tell us the date and time of this call.

22 A. August 15th, 2016, at 8:35 p.m.

23 (Audio was played but not reported.)

24 BY MS. HOFFMAN:

25 Q. Did you recognize the voices of the participants in that

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1 call?

2 **A.** Corloyd Anderson and Jamal Lockley.

3 **Q.** And did you hear Mr. Anderson say [reading]: I think that
4 was a little off?

5 **A.** I did.

6 **Q.** Did you hear Mr. Lockley say [reading]: I sat on the
7 couch and counted it out. It was thirty-four fifty. I took
8 fifty out and gave it to Charlie?

9 **A.** Yes.

10 **Q.** Was there a subject of your investigation who went by
11 Charlie?

12 **A.** There was two. There was Charles Blackwell and a
13 Charles Jeffries.

14 **Q.** And I'm going to come back to that in a second.

15 But did you hear Mr. Anderson say [reading]: Goddamn, yo.
16 Why you get so dumb over the thing?

17 **A.** Yes.

18 **Q.** And based on your experience investigating
19 drug-trafficking offenses and conducting wiretap
20 investigations, is it common or uncommon for drug traffickers
21 to express concern about discussing business on the phone?

22 **MS. AMATO:** Objection. It's --

23 **THE COURT:** Sustained.

24 **BY MS. HOFFMAN:**

25 **Q.** Agent Aanonsen, I'm going to show you

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Government's Exhibit IND-49.

And who is that?

A. Charles Jeffries.

Q. And I'm going to show you Government's Exhibit IND-10.

And who is that?

A. Charlie Blackwell.

Q. I'm going to play TT-3-7934, which is on Page 266 of the binders.

And can you tell us the date and time of this call.

A. August 18th, 2016, 12:24 p.m.

(Audio was played but not reported.)

BY MS. HOFFMAN:

Q. Did you recognize the voices of the participants in that call?

A. Melvin Lashley and Jamal Lockley.

Q. And did you hear Mr. Lashley say [reading]: Shorty better be on point because all the whities coming through. I'm telling you, they coming through today?

A. Yes.

Q. I'm going to play another call, and this one is TT-3-8196, and it's on Page 268 of the binders. And this will be the last one.

Can you tell us the date and time of this call.

A. August 19th, 2016, 10:14 p.m.

(Audio was played but not reported.)

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1 **BY MS. HOFFMAN:**

2 **Q.** Did you recognize the voices of the participants in that
3 call?

4 **A.** Jamal Lockley and Corloyd Anderson.

5 **Q.** And did you hear when Mr. Lockley said, We -- well, did
6 you hear what Mr. Anderson said [reading]: You making an "N"
7 word look bad?

8 **A.** Yes.

9 **Q.** And did you hear when Mr. Lockley said [reading]: We
10 ain't got nobody else to pay no more?

11 Did you hear him say that?

12 **A.** Yes.

13 **Q.** And did you hear him say [reading]: We had other
14 "N" words. We had to get them out of the way. Now we don't.
15 So the last little bit of things that we finish, go ahead and
16 finish paying the bill off?

17 **A.** Yes.

18 **Q.** I want to shift gears, Agent Aanonsen, and ask you -- I
19 believe you testified earlier that as part of your
20 investigation, you executed a search warrant on an
21 iCloud account belonging to Dante Bailey; is that right?

22 **A.** Yes.

23 **Q.** Now, did the iCloud account contain evidence of
24 relationships between Dante Bailey and any of the other
25 defendants in this case?

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1 **A.** Yes.

2 **Q.** I'm going to show you Government's Exhibit IC-6, which you
3 identified previously as a file from this iCloud account.

4 And would you mind reading the text on this document.

5 **A.** Sure.

6 [Reading]:

7 Tek-\$1,340.

8 Bill.

9 Bc.

10 Bino.

11 Menace.

12 Droid.

13 Mookie-600.

14 Fish-400.

15 20.

16 Box-10,800.

17 Trouble-2400.

18 **Q.** And can you see at the top of the screen, what does this
19 appear to be?

20 **A.** Looks like a note or a saved note to the phone.

21 **Q.** Can you read the -- where it says "Gutta man" at the top.

22 **A.** Wolfmobb@iCloud.com.

23 **Q.** And I want to direct your attention to where it says
24 "Droid." Was there a subject of your investigation who went by
25 Droid?

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1 **A.** Yes. Jamal Lockley.

2 **Q.** And were there subjects of your investigation who went by
3 other names that you just read?

4 **A.** Yes.

5 **Q.** Can you explain.

6 **A.** Tech was Devon Dent.

7 Bino was Dontray Johnson.

8 Menace was Melvin Lashley.

9 Mookie was Maurice Braham.

10 Droid was Jamal Lockley.

11 Mookie was Maurice Braham.

12 Fish was Dominick Kane.

13 Box was Altonayo Edges.

14 And Trouble was William Banks.

15 **Q.** And I'm going to show you Government's Exhibit IC-84,
16 which you also identified as a file from this iCloud account.

17 And can you tell us who we're looking at here.

18 **A.** Yes. That's Charlie Blackwell (indicating),
19 Shakeen Davis (indicating), Jamal Lockley (indicating).

20 **Q.** And I'm going to show you Government's Exhibit IC-85.

21 And who are we looking at here?

22 **A.** Shakeen Davis (indicating), Melvin Lashley (indicating).

23 **Q.** I'm going to show you Government's Exhibit IC-55, which
24 you also identified as a file from this iCloud account.

25 And can you tell us what we're looking at here.

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1 **A.** It's a still from the video that I've seen before.

2 This is Dante Bailey (indicating). That's
3 Corloyd Anderson (indicating).

4 **Q.** And I'm going to play for you Government's Exhibit IC-129,
5 which you also identified as a file from that iCloud account.

6 (Video was played but not reported.)

7 **BY MS. HOFFMAN:**

8 **Q.** Can you tell us who we're looking at there.

9 **A.** That's Corloyd Anderson.

10 **Q.** And can you describe for the record what he's wearing.

11 **A.** He has a backwards ball cap on, a black T-shirt, and
12 several articles of jewelry around his neck.

13 **Q.** And can you tell or did you hear him say anything about
14 what vehicle he's in?

15 **A.** I couldn't hear it from up here.

16 (Video was played but not reported.)

17 **BY MS. HOFFMAN:**

18 **Q.** Could you tell from that portion of the clip what vehicle
19 he's in?

20 **A.** Yes. I recognize the symbol to be that of Bentley.

21 **Q.** I'm going to play for you Government's Exhibit IC-127, or
22 portions of it, which you also identified as a file from that
23 iCloud.

24 (Video was played but not reported.)

25 **BY MS. HOFFMAN:**

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1 Q. Do you recognize the people in this shot?

2 A. I do. The gentleman on the right with the sunglasses, the
3 hat, and the bleached tie-dye Capris is Kevin Forrest,
4 a/k/a Hollywood. And the gentleman on the left is
5 Dante Bailey.

6 (Video was played but not reported.)

7 BY MS. HOFFMAN:

8 Q. Do you recognize the people in this photo?

9 A. I do. The gentleman on the right in the black T-shirt,
10 with the necklace, is Adrian Jamal Spence, a/k/a Spittle.

11 The gentleman on the left in the white T-shirt is
12 Dante Bailey.

13 (Video was played but not reported.)

14 BY MS. HOFFMAN:

15 Q. And can you read the text here.

16 A. It says "Mobbin' Heroes."

17 (Video was played but not reported.)

18 BY MS. HOFFMAN:

19 Q. Can you read the text here.

20 A. [Reading]: Emms overpower everything.

21 Q. Do you recognize any of the people in this photo?

22 A. Yes. Gentleman on the right with the red shirt on is
23 Lamar Stevens, a/k/a M-Easy.

24 In front of him with the jacket with the P is
25 Dante Bailey.

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1 Behind him with the sunglasses on is Melvin Lashley.

2 Next to him, touching his hand, is William Jones.

3 And all the way to the left with the hood up, the brim of
4 the hat down, and the camouflage outfit on is Kevin Forrest,
5 a/k/a Hollywood.

6 (Video was played but not reported.)

7 **BY MS. HOFFMAN:**

8 **Q.** Do you recognize that person?

9 **A.** That person is Davon Temple, a/k/a Nizzy.

10 (Video was played but not reported.)

11 **BY MS. HOFFMAN:**

12 **Q.** Can you read the text here.

13 **A.** [Reading]: Keep calm and know I'm mafia.

14 **Q.** And can you read the text here.

15 **MR. SARDELLI:** Your Honor, may we approach?

16 **THE COURT:** Okay.

17 **MR. SARDELLI:** Just briefly.

18 (Bench conference on the record:

19 **MR. SARDELLI:** I'm sure she didn't intend it, but that
20 child in the photo flashed up in front of the jury.

21 **MS. HOFFMAN:** Yeah. I apologize. It was a total
22 mistake. I was attempting to skip through it.

23 **THE COURT:** I saw that. I thought the best thing to
24 do was to ignore it and let it go on, and at least they didn't
25 keep it on the screen.

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1 **MR. SARDELLI:** I just want to note my objection for
2 the record.

3 **THE COURT:** Okay.)

4 (Bench conference concluded.)

5 **BY MS. HOFFMAN:**

6 **Q.** Agent Aanonsen, can you tell us the text on the screen
7 here.

8 **A.** [Reading]: Live by the EMM, die by the EMM.

9 (Video was played but not reported.)

10 **BY MS. HOFFMAN:**

11 **Q.** And what's the text here?

12 **A.** Bino-EMMs.

13 **Q.** And can you tell us the text here.

14 **A.** [Reading]: Stop the snitching.

15 **Q.** You testified previously, Agent Aanonsen, about
16 search warrants executed on certain social media accounts, and
17 I believe you testified that some of those accounts were
18 believed to be used by Dante Bailey.

19 And I'm going to pull up Government's Exhibit SM-1.

20 And can you remind us what we're looking at here.

21 **A.** Facebook business record, Page 1, for vanity name
22 Dante the Great.

23 **Q.** And did you find any evidence in this account of a trip to
24 California?

25 **A.** Yes.

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1 Q. I'm going to show you Page 81.

2 Can you tell us what we're looking at here in the photo.

3 A. It's a welcome sign for City of Compton.

4 Q. Now, are you able to read the date here (indicating)?

5 A. September 9th, 2012.

6 Q. And I'm going to show you the next page here.

7 And can you tell who we're looking at in this photo.

8 A. Yes. Gentleman in the red is Dante Bailey. Gentleman
9 with the yellow T-shirt on is Adrian Spence.

10 Q. And I'm going to show you Page 104 of this exhibit.

11 Can you tell us, do you recognize anyone in this photo?

12 A. The gentleman on the left with the hat on is Dante Bailey
13 (indicating).

14 Q. And I'm going to show you the next page.

15 And do you see the -- which is also the next page of the
16 business record. Do you see the text -- the text here
17 associated with that photo?

18 A. Yes. It says [reading]: Mobbin' wit the trees in
19 Compton.

20 Q. And do you see the date down below or, I guess, the
21 modified date or taken date?

22 A. September 10th, 2012.

23 Q. I'm going to show you Page 71 of this exhibit.

24 And can you tell what we're looking at here?

25 A. It's a set of teeth overlays. All the way on the left is

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1 an M. And the other tooth, four down on the right has an M on
2 it as well.

3 Q. And I'm going to show you the next page of this exhibit,
4 which is also the next page of the business record.

5 And can you just read the last -- like the -- after the
6 dot, dot, dot, the end of this text, at the very end.

7 A. [Reading]: EMM\$.

8 Q. Agent Aanonsen, was one of the incidents investigated as
9 part of this case a January 26th, 2016 arrest of someone named
10 Charles Blackwell?

11 A. Yes.

12 Q. And was a search warrant executed on a social media
13 account believed to be used by Charles Blackwell?

14 A. Yes.

15 Q. I'm going to show you Government's Exhibit SM-18.

16 And can you tell us what we're looking at here.

17 A. Instagram business record, Page 1, for vanity name
18 mrcalculatorshorty.

19 Q. And I'm going to show you -- well, were you able to
20 determine who used this account?

21 A. Yes. Based on the plethora of photos and information
22 contained in the account, we believed to be used by
23 Charles Blackwell.

24 Q. I'm going to show you Page 6 of this exhibit.

25 And can you tell us who we're looking at here.

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1 **A.** Yes. Gentleman all the way on the left with the hat on is
2 Charlie Blackwell (indicating).

3 Gentleman with the red T-shirt with the black jacket over
4 it is Shakeen Davis (indicating).

5 And to his right, with the white T-shirt on, is
6 Cameron Allen (indicating).

7 **Q.** And I'm going to play -- or, sorry, show you Page 22 here.

8 And who are we looking at here?

9 **A.** On the left with the hat is Charlie Blackwell
10 (indicating).

11 On the right with the hood up is Jamal Lockley
12 (indicating).

13 **Q.** And what do they appear to be doing with their hands?

14 **A.** Holding up five fingers in one hand, two in the other.

15 **Q.** And I'm going to show you Page 46 of this exhibit.

16 And can you tell us who we're looking at here.

17 **A.** That's Charlie Blackwell.

18 **Q.** And what is he doing with his hand -- hands?

19 **A.** He's making an M.

20 **Q.** And then going to the next page of the exhibit, which is
21 the next page of the business record, are you able to read the
22 text associated with this photo?

23 **A.** [Reading]: Those M's are forever, baby. 100, money bag,
24 money bag, star.

25 **Q.** And can you explain what the call-out here is, the red

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1 box, what that means.

2 **A.** The red box highlights the portion, and then the blank
3 emojis are then decoded into what they would actually appear.

4 **Q.** Agent Aanonsen, I want to shift gears again and direct
5 your attention to September 27th of 2016.

6 Did you assist with the execution of a search warrant on
7 that day?

8 **A.** Yes.

9 **Q.** And where was the search warrant executed?

10 **A.** 38 Windbluff Court.

11 **Q.** And who was the subject of the search warrant?

12 **A.** Corloyd Anderson.

13 **Q.** And approximately what time was the search warrant
14 executed?

15 **A.** Approximately 6:00 a.m.

16 **Q.** And what was your role in the search warrant that day?

17 **A.** I assisted. I was not part of the tactical team that made
18 entry.

19 **Q.** And what happened when you got to the residence?

20 **A.** The tactical team knocked and announced. They made entry.
21 They secured the residence. I then entered the residence and
22 encountered Mr. Corloyd Anderson in handcuffs in the living
23 room.

24 **Q.** And what did you do then?

25 **A.** Once the house was secured, Mr. Anderson was only in a

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1 robe. So we allowed him to go upstairs. We escorted him
2 upstairs and allowed him to change into some clothes.

3 We then brought him out of the residence and put him in a
4 vehicle.

5 Q. And you said "we." Who was with you?

6 A. Myself and Special Agent Kelvin Jackson.

7 Q. And when you brought him outside, where did you go?

8 A. To an ATF vehicle.

9 Q. And when you got to the ATF vehicle, did you advise
10 Mr. Anderson of his Miranda rights?

11 A. Yes. Approximately 6:15 a.m., I read Mr. Anderson his
12 Miranda rights from a rights advisement card. He indicated
13 verbally -- he said yes -- that he understood his rights.

14 Q. And after Mr. Anderson indicated that he understood his
15 rights, did you ask him any questions?

16 A. Yes. I said, "Is there anything in the house that you
17 would like to tell us about?"

18 Q. And what did he say in response, if anything?

19 A. He said, "Yes. There's a pistol under my mattress."

20 Q. And at the time that Mr. Anderson indicated that there was
21 a pistol under his mattress, had you been notified about the
22 recovery of a gun in the house?

23 A. No. The gun wasn't recovered until after Mr. Anderson had
24 already told me there was a pistol under the mattress.

25 MS. AMATO: Objection. I mean, it's hearsay.

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THE COURT: Overruled.

BY MS. HOFFMAN:

Q. Shortly after that, did you go over a Miranda advisement form with Mr. Anderson?

A. Yes. We didn't have one immediately available. It took a little bit of time to actually locate one. But when we did locate one, it was approximately 6:31. We re-read Mr. Anderson his rights, to which he again replied that he understood and signed the document. And I asked him if he wanted to make a written statement.

Q. I'm going to show you, first,
Government's Exhibit INT-1-A.

And can you tell us what we're looking at here.

A. Sure. It's U.S. Department of Justice, Bureau of Alcohol, Tobacco, Firearms & Explosives, Advice of Rights and Waiver form.

Q. And is Mr. Anderson's signature on this document?

A. Yes. Signature, followed by a printed name, and next to each one of his rights, he initialed CA.

Q. And you mentioned that you asked Mr. Anderson if he wanted to make a written statement?

A. That's correct.

Q. And did he say that he wanted to?

A. Yes, he did.

Q. Now, I'm going to show you Government's Exhibit INT-1-B.

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1 And can you tell us what we're looking at here.

2 **A.** This is a U.S. Department of Justice affidavit form. The
3 first part of the form was written by Mr. Anderson. Then we
4 followed up with a question and answer where I wrote the
5 question, Mr. Anderson penned the response and then initialed
6 with his initials.

7 **Q.** And would you mind reading the text for us.

8 **A.** Sure. It starts off [reading]: Corloyd Anderson,
9 38 Windbluff Court, Owings Mills, Maryland.

10 [Reading]: I had a firearm under the bed. It black.
11 It's mine. It was for protection only. I apologize. My wife
12 doesn't know about it. It's not hers.

13 And then question/answer went [reading]:

14 What caliber is the firearm?

15 Responded: 9-millimeter.

16 When was the last time you sold heroin?

17 He said: In January.

18 How much does the amount of heroin you -- how much was the
19 amount of heroin you sold in January?

20 50 grams to help with my bills. Apologize.

21 When did you purchase the gun under your mattress?

22 Two months ago, \$400.

23 **Q.** After the completion of the search warrant at
24 38 Windbluff Court, did you bring Mr. Anderson back to the ATF
25 building?

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1 **A.** Yes, we did.

2 **Q.** And did you conduct an interview of Mr. Anderson there?

3 **A.** Yes, we did.

4 **Q.** And was anyone else with you for that interview?

5 **A.** Special Agent Kelvin Jackson.

6 **Q.** And was that interview recorded?

7 **A.** Yes; audio and visual.

8 **Q.** I'm going to show you Government's Exhibit INT-1.

9 Actually, I'm going to approach and walk it up to you.

10 (Handing.)

11 Do you recognize that exhibit?

12 **A.** Yes. It's a copy of the video of the interview that took
13 place.

14 **Q.** And I'm going to play a short portion of this video.

15 And the transcript, it should be on Page 1 of the
16 interview tab of the transcript binder.

17 (Video was played but not reported.)

18 **BY MS. HOFFMAN:**

19 **Q.** Agent Aanonsen, pursuant to a stipulation between the
20 parties, I'm going to read Government's Exhibit Stip 3. And
21 I'll put it up on the screen.

22 And it says [reading]: It is agreed and stipulated by the
23 parties that prior to September 27th, 2016, the defendant,
24 Corloyd Anderson, was convicted in state court of a crime
25 punishable by imprisonment for a term exceeding one year and

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1 that his civil rights have not been restored.

2 **MS. HOFFMAN:** And I have no further questions for you.
3 Thank you.

4 **THE COURT:** All right. Ms. Whalen.

5 CROSS-EXAMINATION

6 **BY MS. WHALEN:**

7 **Q.** Agent, I believe yesterday you were shown a photograph
8 which was then shown to the jury of Mr. Bailey reading the
9 newspaper in a car.

10 Do you remember that?

11 **A.** Yes.

12 **Q.** And --

13 **A.** Said "Chiraq" on it.

14 **Q.** Remind me. That was, I think, from Mr. Blackwell's social
15 media account; is that what you recall, SM-18?

16 **A.** I think it was from William Jones' account.

17 **Q.** William Jones. All right.

18 I'm going to show you what's Page 70, I believe . . .

19 (Counsel conferred.)

20 **BY MS. WHALEN:**

21 **Q.** And this is from SM-6. It is also Instagram business
22 records, Page 272.

23 You've seen this before; correct?

24 **A.** Yes, I've seen the photo.

25 **Q.** Have you seen this document before?

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1 A. Yes.

2 Q. Let me pull it down a little bit more. Does that help?

3 A. Yes.

4 Q. All right. And does this appear to you to be an
5 advertisement for a show?

6 A. Yes.

7 Q. All right. "Tee Brown presents," can you read that?

8 Let me see if I can go in a little closer.

9 Do you see right in here, Tee Brown presents?

10 A. Yes, I do.

11 Q. Living legends; right?

12 A. Right.

13 Q. And then powered by TCGMG; correct?

14 A. Correct.

15 Q. And we've seen that before in some of the other
16 productions that have been played; correct?

17 A. Correct.

18 Q. All right. And it's featuring Gutta Almighty, of course;
19 right?

20 A. Yes.

21 Q. September 18th; is that correct?

22 A. That's correct.

23 Q. Now, do you know if the other photo that we looked at from
24 William Jones' account was a screenshot or can you tell,
25 really, from those documents?

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1 **A.** I don't think it was a screenshot. It looked like it was
2 an actual photo.

3 **MS. WHALEN:** Okay. I think that's all I have.

4 Thank you, Agent.

5 **THE COURT:** All right. Mr. Sardelli.

6 **MR. SARDELLI:** Thank you, Your Honor.

7 CROSS-EXAMINATION

8 **BY MR. SARDELLI:**

9 **Q.** Good morning, sir.

10 **A.** Good morning.

11 **Q.** I think you testified previously about some parties and
12 other information -- I'm showing you what's been marked or been
13 admitted previously as SM-22.

14 Do you recognize that?

15 **A.** Yeah, I recognize the -- the record.

16 **Q.** Okay. And is this about a party at the club Paparazzi on
17 or about July 24th, 2015?

18 I'll put it up here so you can see the date here.

19 Is that what appears to be an advertisement for some type
20 of party at a club?

21 **A.** It -- it's just a picture that says "Friday, July 24th."

22 **Q.** Okay. And when does it appear that it was posted or
23 taken? Do you see the part that says "taken"?

24 **A.** Yeah. June 13th, 2015.

25 **Q.** Thank you, sir.

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1 You're familiar with the Gwynn Oak area; correct?

2 **A.** Yes.

3 **Q.** And turning you back to April of 2016, were you involved
4 in an operation where a CI was sent in to buy some drugs in
5 that area?

6 **A.** April? That would have been -- it's possible. I don't
7 recall the exact date.

8 **Q.** Would it refresh your recollection if I would show you one
9 of your reports?

10 **A.** Yeah, absolutely.

11 **MR. SARDELLI:** Your Honor, may I approach?

12 **THE COURT:** Yes.

13 **BY MR. SARDELLI:**

14 **Q.** For the record, this is ATF Report Number 15. Take a look
15 at that (handing).

16 **A.** Sure.

17 (Reviews document.)

18 Yes. That's not my report, though. It's Tim Moore's.

19 **Q.** But you were involved in the operation; correct?

20 **A.** I was.

21 **Q.** Okay. And if you could, so I don't have to come back
22 here, if you could read Paragraph 6 real quick as well, because
23 I'll ask you a question about that.

24 **A.** (Reviews document.)

25 Yes.

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1 Q. Does that refresh your recollection, sir?

2 A. It does.

3 Q. Now, it was written by Agent Moore, but you were involved
4 in that operation; correct?

5 A. I was.

6 Q. And that involved a CI buying some drugs from a
7 Delante Lee and a Mr. Harris; correct?

8 A. That's correct. I'm not sure if they actually were --
9 completed the transaction, but --

10 Q. Okay. And you reviewed Paragraph 6; correct?

11 A. That's correct.

12 Q. And didn't the -- I believe it was Mr. --

13 MS. HOFFMAN: Your Honor, I'm going to object. I
14 don't know where this is going, but I'm going to object on
15 hearsay grounds.

16 THE COURT: Come up to the bench, please, with the
17 report.

18 (Bench conference on the record:

19 THE COURT: Paragraph 6.

20 MR. SARDELLI: Yes, Your Honor.

21 So in that -- they've tried to tie my client to that
22 area. And this CI did actually buy some drugs, I think, from a
23 Delante Lee and the other Mr. -- a Lee and a Harris, and they
24 said the source of supply for the drugs they were buying was
25 his uncle.

1 My client is not their uncle. I think it's relevant
2 to show the source of supply for this buy is not my client.
3 It's in Paragraph 6 there at the bottom.

4 **THE COURT:** Let me read it. Thank you.

5 Okay. And what you're expecting him to do is to
6 repeat what Mr. Lee said?

7 **MR. SARDELLI:** No, Your Honor. He was -- my
8 understanding is that Agent Moore and Agent Aanonsen were the
9 handlers who were doing the observations and were observing
10 this and monitoring it, Your Honor.

11 **THE COURT:** Right.

12 **MR. SARDELLI:** And it's extremely relevant that the
13 Gwynn Oak area in this case, the source of supply for the
14 heroin they bought or are trying to buy is not from my client.
15 I think that's exculpatory.

16 **THE COURT:** That is hearsay.

17 **MR. SARDELLI:** It's statement in further [sic] of a
18 conspiracy, Your Honor. They're saying this is part of the
19 conspiracy. It would be statements in further [sic] of the
20 conspiracy by Mr. Lee and Mr. Harris.

21 **MS. HOFFMAN:** I still think it's Agent Moore's report.
22 I don't think Agent Aanonsen is the proper witness for this.
23 He wasn't there for this.

24 **MR. SARDELLI:** He was. I'm sorry. He was.

25 If you look at the first part of it, Paragraph 2,

1 Your Honor, they were both there.

2 **MS. HOFFMAN:** The proper witness would be the CI.
3 Even if it is a statement in furtherance, it would be the CI
4 who would be able to repeat the statement to him by
5 Delante Lee.

6 **THE COURT:** Has there been an allegation that your
7 client specifically supplied the crack that's involved here on
8 April 21st?

9 **MR. SARDELLI:** Look in Paragraph 1 there. They claim
10 this is run by Randy Banks, even in the first paragraph there.

11 **MS. HOFFMAN:** I don't think there's been any evidence
12 about this controlled buy in the case.

13 **MR. SARDELLI:** There hasn't been, Your Honor, but I
14 think that's extremely exculpatory that Mr. Lee and Mr. Harris
15 are getting the drugs from another source, not from my client.
16 This is supposed to be an area run by my client. I think this
17 is absolutely key to our case.

18 **THE COURT:** What evidence has there been that your
19 client was supplying crack cocaine to Mr. Lee and Mr. Harris in
20 April of 2016?

21 **MR. SARDELLI:** I believe five cooperating witnesses
22 have alleged that he runs the Gwynn Oak area and is involved in
23 all the drug trafficking there.

24 I think all the cooperating witnesses touched on the
25 fact that he's in the Gwynn Oak area and that he runs that drug

1 shop, drug plaza, whatever you want to call it. And I think
2 it's extremely relevant that these guys were getting their
3 drugs from their uncle, not from my client.

4 **THE COURT:** And how do we even know who the uncle is?
5 I mean, I'm just --

6 **MR. SARDELLI:** I don't think the agent will. I think
7 I'll ask him -- I think he was monitoring this 'cause it's
8 under audio and video surveillance, and he was there monitoring
9 this. I simply want to put out the fact that Harris and Lee
10 said they got the drug from the uncle.

11 **THE COURT:** The transaction that there's been no
12 evidence about in this entire case.

13 **MR. SARDELLI:** Got you. But it is a conspiracy case,
14 Your Honor. And it is directly within the dates of the
15 conspiracy, and it involves the area they claim my client runs.

16 **THE COURT:** Okay. But --

17 **MR. SARDELLI:** I think it's exculpatory.

18 **MS. HOFFMAN:** Your Honor, I think even if the
19 statement from Delante Lee to the CI were in furtherance of the
20 conspiracy, the proper witness to call would be the CI. I
21 don't think that -- I mean, this is basically triple layer.
22 This is what the CI then --

23 **MR. SARDELLI:** And has the CI been disclosed? And do
24 we know who that is even? I don't think he has, Your Honor.

25 **THE COURT:** You're calling Agent Moore later?

1 **MS. HOFFMAN:** We are.

2 **THE COURT:** Okay. I am not yet persuaded that this is
3 admissible. You'll have -- but we will think about it a little
4 bit more. You can have another chance to persuade me after I
5 look at this with Agent Moore.

6 **MR. SARDELLI:** Got you. And my other issue is,
7 Your Honor, they're arguing that it should come through the CI.
8 And I don't think the CI has been disclosed at all, who it is
9 or his Jencks or anything related to that, Your Honor. So
10 that's another problem.

11 **THE COURT:** That's Mr. Lee, presumably, has been
12 disclosed; right? Mr. Lee is the one that made the statement,
13 not even the CI. It's Mr. Lee.

14 **MS. HOFFMAN:** Right.

15 **MR. SARDELLI:** Got you, Your Honor. But they said
16 that the proper witness should be the CI. And that would be
17 another issue, is that another potential witness would be the
18 CI. And I want to know who that is.

19 **THE COURT:** I'm not at all persuaded that the CI would
20 be the appropriate witness. This is -- it seems to me you're
21 proposing this as exculpatory evidence that could be provided
22 by Mr. Lee only as to one specific transaction that one
23 particular time, according to this report.

24 And I am -- as I say, if I am ruling right now, I'm
25 excluding it. But I'm saying as an alternative, just don't get

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1 into it now. And we'll try to analyze this a little further
2 before Agent Moore.

3 **MR. SARDELLI:** Okay, Your Honor. I'll --

4 **THE COURT:** Possibly even in the defense case. I
5 mean, there's going to be other opportunities.

6 **MR. SARDELLI:** Got you. But then we have to look into
7 calling Delante Lee, who is in the Bureau of Prisons, and
8 everything else. I was expecting it to come through this
9 witness, Your Honor. So that would be another issue.

10 But I would prefer to go through Agent Moore. I
11 understand you're going to reserve it, Your Honor, and I'll
12 move on for this witness.

13 **THE COURT:** Okay.

14 **MR. SARDELLI:** May I have the report back, Your Honor?
15 Do you want to keep it for now?

16 **THE COURT:** If I can keep it for now.

17 **MR. SARDELLI:** Thank you, Your Honor.

18 **THE COURT:** Thank you.)

19 (Bench conference concluded.)

20 **THE COURT:** All right. We're just going to move on
21 for now.

22 **MR. SARDELLI:** Thank you, Your Honor.

23 **BY MR. SARDELLI:**

24 **Q.** Are you aware that my client has a 22-year-old son also
25 named Randy Banks?

1 **MS. HOFFMAN:** Objection.

2 **THE COURT:** Do you want to come back up to the bench.

3 (Bench conference on the record:

4 **THE COURT:** I just want to be sure you're planning to
5 offer -- it's not in evidence right now; right?

6 **MR. SARDELLI:** No. I don't know the answer to it, if
7 he knows he has a son or not, if he knows his son has any
8 nicknames or not. I don't know the answer to it.

9 I think it's -- is there more than one Randy Banks?
10 Has he looked at that? Has he looked at there's other people
11 that are a/k/as?

12 That's extremely relevant because they are just a lot
13 of times tying it to Randy Banks or Dirt or Sand without just
14 mentioning other calls that aren't even his calls. It's
15 extremely relevant.

16 **THE COURT:** You can find out whether he's investigated
17 that question, whether he knows that there was another
18 Randy Banks that's related to your Randy Banks.

19 **MR. SARDELLI:** He may not know, Your Honor. He may
20 not.

21 **THE COURT:** I understand.

22 Going back to what we were just talking about, I
23 wanted to check something. But you're proffering it as part of
24 the co-conspirator, statement in furtherance of the conspiracy.
25 I believe that is applicable when the statement is being

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1 offered against an opposing party, which is not what you're
2 offering it.

3 **MR. SARDELLI:** No. It's a statement in furtherance of
4 the conspiracy, Your Honor. And they were actually, if I
5 understand this correctly, video and audio monitoring --

6 **THE COURT:** I know they were doing that. But you are
7 the one that wants to offer it, and you are not an opposing
8 party.

9 **MR. SARDELLI:** That's correct, Your Honor.

10 **THE COURT:** Okay.)

11 (Bench conference concluded.)

12 **BY MR. SARDELLI:**

13 **Q.** Are you aware that he has a son named Randy Banks as well,
14 a 22-year-old son?

15 **A.** I recall Mr. Banks having children. I don't recall what
16 their names were.

17 **Q.** Okay. Are you aware if the son has any a/k/as?

18 **A.** No.

19 **Q.** Now, speaking of the Gwynn Oak area, you're aware there's
20 a BP gas station there; correct?

21 **A.** I'm aware.

22 **Q.** All right. And there's been a lot of testimony about the
23 BP gas station. That's different than the one on the
24 5200 block; correct?

25 **A.** Yeah, it's a different gas station.

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1 Q. Okay. So I just want to make sure because there have been
2 two BPs that have come up. They're separate BP stations;
3 correct?

4 A. Yes. One is at 4608 Liberty Heights. The other one is at
5 5200 Forest Park and Windsor Mill.

6 Q. The one near Gwynn Oak, have you canvassed that area and
7 talked to the BP gas station and the people there and the
8 businesses around there?

9 A. For what?

10 Q. About -- information about the case.

11 A. No.

12 Q. How about, is there a liquor store in that area?

13 A. There is.

14 Q. Have you canvassed or talked to anyone in the liquor store
15 about information about this case?

16 A. No.

17 Q. There's also two Chinese restaurants there as well,
18 correct, across the street from each other?

19 A. I don't recall.

20 Q. Have you canvassed any of the stores or businesses in that
21 area?

22 A. No.

23 Q. Now, a lot of issues with rap music and rap culture have
24 come up.

25 Have you looked into other areas of the country about rap

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1 music and culture and signs and videos, other areas of the
2 country to inform your case in this case?

3 **A.** I don't remember testifying about having issues with rap
4 music.

5 **Q.** No, no. I mean issues have come up in the case,
6 rap videos. Those type of things have come up in the case and
7 the evidence; correct?

8 **A.** Yes, rap videos have been played during the case.

9 **Q.** Okay. And when it comes to hand signs or gestures or
10 anything that's related to rap music, have you compared the
11 Baltimore area to other areas in the country?

12 **A.** No. The focus of our investigation wasn't on the rap
13 aspect.

14 **Q.** So you haven't compared it to like New York or other
15 areas, New Orleans, Atlanta, Texas, Philadelphia, anything like
16 that?

17 **MS. HOFFMAN:** Objection; asked and answered.

18 **THE COURT:** Overruled.

19 **THE WITNESS:** No.

20 **BY MR. SARDELLI:**

21 **Q.** And specifically, have you compared the hand signs used in
22 this case to other areas of the country, same thing, Chicago,
23 New York, other areas?

24 **A.** No.

25 **Q.** Have you ever talked to my client?

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1 **A.** Yes.

2 **Q.** Did you ever make a statement to him that you had nothing
3 on him but that you were interested in other people in the
4 case?

5 **A.** No.

6 **MR. SARDELLI:** No further questions at this time,
7 Your Honor.

8 **THE COURT:** Mr. Trainor.

9 CROSS-EXAMINATION

10 **BY MR. TRAINOR:**

11 **Q.** Good morning, Agent Aanonsen.

12 **A.** Good morning, sir.

13 **Q.** Can you remind me how long it is that your agency and you
14 have been involved in this investigation.

15 **A.** We opened it March 2016.

16 **Q.** '15?

17 **A.** '16.

18 **Q.** '16. March 2016.

19 And you are the case agent in charge of it at this point?

20 **A.** Yes.

21 **Q.** And have been throughout; correct?

22 **A.** Yes.

23 **Q.** All right. You've had a lot of investigative tools at
24 your disposal, including search warrants, teams of
25 investigators, undercover officers, and undercover paid

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1 informants as well; correct?

2 A. That's correct.

3 Q. And you had Title III wiretap orders?

4 A. Yes.

5 Q. And one of them was on the phone that you attribute to
6 Jamal Lockley at (443) 709-7780?

7 A. That's correct.

8 Q. Now, did you listen to all the calls on that number?

9 A. Not every single last call. There were thousands of calls
10 over that line.

11 Q. All right. So, I mean, you had a wiretap up for, what is
12 it, a month or so?

13 A. Yeah. It was 30 days.

14 Q. And whenever that phone connected, someone was listening
15 or recording?

16 A. Yes.

17 Q. Or both, I suppose.

18 A. Well, the software automatically records the calls as they
19 come in, but we have different people monitor the line.

20 Q. All right. And so the calls that have been played in the
21 courtroom are just a selection from that -- a very large group
22 of calls; correct?

23 A. That's correct.

24 Q. And as far as voice identification, were you the one who
25 identified voices or was that done by someone else?

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1 **A.** I was not the initial person that identified Mr. Lockley
2 as the user of that phone; but since throughout the
3 investigation, I have been able to identify his voice.

4 **Q.** And when is the last time you've gone back and gone
5 through that voice-identification process?

6 **A.** Six weeks ago.

7 **Q.** About six weeks ago.

8 And one of the calls that you just -- that was just
9 played -- and I'm not going to go back and play all of these
10 calls for you.

11 **A.** Yes, sir.

12 **Q.** But there was TT-3-7934 from August 18th of 2016. The
13 transcript was labeled Lashley and Lockley.

14 You didn't go back and verify those voices, did you?

15 **A.** To the best of my ability, yes, I did. I reviewed every
16 single transcript and call.

17 **Q.** So it's your opinion that it was Mr. Lockley's voice on
18 that particular call?

19 **A.** Yes.

20 **Q.** All right. Now, you've listened to literally thousands of
21 recorded calls; correct?

22 **A.** That's probably correct.

23 **Q.** And I think you would agree with me that very few of those
24 calls have specific references to heroin or to, say, cocaine or
25 cocaine base; correct?

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1 A. That's not correct at all. They don't specifically say
2 "heroin" in the call, but they use many different adjectives
3 and things to describe what's going on.

4 Q. That's right. They use -- you hear words like "boy" and
5 "girl" and "brown" and "white" and "gravel" and "that thing"
6 and "small thing" and "big thing" or terms like that which you
7 have to interpret; right?

8 A. Yes; and people speaking of using it and buying it and
9 overdosing on it.

10 Q. All right. And some of the calls are more explicit than
11 others, but some don't mention drugs at all.

12 A. I mean, if you're speaking about some are directional
13 calls like "Meet me on the left."

14 Q. And things that -- and calls that show association between
15 particular people.

16 A. Yes.

17 Q. All right. But in addition to the calls that you
18 interpreted as a narcotics investigator, correct --

19 A. Correct.

20 Q. -- and listened to them?

21 I mean, I'm just -- one call that we heard either today or
22 yesterday afternoon, for example, TT-2-3401, Mr. Lockley
23 talking to Mr. Bowling, he just asked, "Where Nugget at?"

24 And now, Nugget is not a reference to a drug, is it?

25 A. No; and I never made that interpretation either.

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1 Q. All right. I'm not suggesting you did. I'm just asking
2 you that.

3 So there's nothing explicit about that, is there?

4 A. No. Nugget could have been a nickname.

5 Q. And that's just -- but when somebody -- the next call,
6 TT-3-3064, you identify Mr. Lockley talking to FNU LNU, which
7 means first name unknown, last name unknown; correct?

8 A. That's correct.

9 Q. And that person, the unknown person, says [reading]:
10 Thanks for the sample.

11 A. That's correct.

12 Q. Now, that doesn't explicitly reference drugs, but you
13 interpret that as talking about -- suggesting that someone gave
14 this unknown person a sample of drugs; right?

15 A. Yeah. Based on the totality of the investigation, that's
16 the only interpretation on whatever samples Mr. Lockley would
17 have given out, would have been narcotics.

18 Q. But you agree with me that you have to read something into
19 it as a narcotics investigator to conclude that.

20 A. Yes.

21 Q. All right. But you also conducted physical surveillance;
22 correct?

23 A. That's correct.

24 Q. I believe you testified that you followed Mr. Lockley on a
25 regular basis over time.

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1 **A.** On a few occasions, we did follow him.

2 **Q.** Well, you were asked if you followed him enough so that
3 you could testify that you never saw him going to a job or to
4 work; correct?

5 **A.** That's correct. I never did.

6 **Q.** But -- so you -- in order to reach that conclusion, you
7 had to follow him or observe him or surveil him on a fairly
8 regular basis, didn't you?

9 **A.** Right. And also listen to all of his wiretap
10 conversations where he never once spoke of having a job or
11 going to work or anything of that sort either.

12 **Q.** But as far as surveillance goes, you covertly staked out
13 his home?

14 **A.** No; we located him based on GPS location on his phone that
15 we were pinging.

16 **Q.** And -- correct. But you staked out his home and observed
17 him coming and going from his home?

18 **A.** We've observed him standing on the front porch utilizing a
19 phone while we're receiving wiretap information over the line.
20 And, yes, we've also followed him.

21 **Q.** But you took a videotape of him walking from his home to
22 his car, didn't you?

23 **A.** I did not take that tape.

24 **Q.** But law enforcement did?

25 **A.** That's correct.

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1 Q. You know what I'm talking about.

2 A. Yes.

3 Q. All right. And on September 27th of 2016, you and your
4 agency searched his home; correct?

5 A. Yes. A team searched 1868 Oxford.

6 Q. All right. And that was thoroughly done from the front
7 door to -- the entire house; correct?

8 MS. HOFFMAN: Objection based on hearsay. This
9 witness wasn't there.

10 MR. TRAINOR: Sorry. I couldn't hear you.

11 MS. HOFFMAN: This witness wasn't there.

12 BY MR. TRAINOR:

13 Q. Didn't you just testify that you're the case agent and
14 that your team searched that house?

15 A. Yes. One of the team searched the house; that's correct.

16 Q. And you're confident that it was done thoroughly?

17 A. Yes, I would hope so.

18 Q. And you know what was seized from the house; correct?

19 A. Yes.

20 Q. The search was done early in the morning?

21 A. That's correct.

22 Q. All right. In part to make sure that -- or to try to
23 ensure that there was no notice or opportunity for somebody to
24 destroy relevant evidence?

25 A. Well, based on federal law, we're not allowed to execute

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1 warrants before 6:00 a.m. without a court order. So we
2 executed them at 6:00 a.m., in the morning, which is the
3 earliest time we're allowed to do that.

4 Q. Which is fairly early in the morning.

5 A. Yes, sir.

6 Q. And Mr. Lockley was arrested on that day, September 27th,
7 2016; correct?

8 A. Correct; pursuant to an arrest warrant.

9 Q. And there was -- there were no drugs seized?

10 A. No, not from his residence.

11 Q. There was no kilo press or packaging material seized?

12 A. No.

13 Q. And he had about \$1500 in the house --

14 MS. HOFFMAN: Your Honor, I'm going to object to this
15 line of questioning. I think this witness wasn't there.
16 Hearsay.

17 THE COURT: Overruled.

18 If he doesn't know, he'll say that. But he's the case
19 agent, and I don't think this is --

20 BY MR. TRAINOR:

21 Q. And there were no firearms in the house either, were
22 there?

23 A. There were no firearms recovered there.

24 Q. All right. And there was about \$1500 recovered?

25 A. I recall about \$1500, yes.

~~AANONSEN - CROSS~~

1 Q. And it was the 27th of the month, 3 days before rent might
2 be due? It was the 27th.

3 A. Okay.

4 Q. It was --

5 A. It was the 27th; correct. I don't know when his rent was
6 due.

7 Q. All right. Now, you also searched, as part of your
8 investigation, social media accounts: Instagram accounts,
9 Facebook accounts, and iCloud accounts?

10 A. Correct.

11 Q. And you were shown during your testimony, I think it was
12 yesterday, some pictures of Mr. Lockley posted on other
13 people's accounts; correct?

14 A. Correct.

15 Q. I think there was something from a William Jones, who
16 posted a picture of Mr. Lockley. There was, I think -- on the
17 iCloud account, is that Mr. Bailey's?

18 A. That's correct.

19 Q. There were a couple of photos there.

20 But you know nothing -- none of that was posted by
21 Mr. Lockley.

22 A. No.

23 Q. All right. And we can't look at these photos and know
24 when the photo was actually taken, can we?

25 A. No; because Facebook strips the metadata out of the photos

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1 now.

2 Q. And there's no testimony regarding the actual
3 circumstances under which any of these photos were taken, is
4 there?

5 A. No. I have no firsthand knowledge of exactly when the
6 photos were taken.

7 Q. And it's hard to tell the precise location where some of
8 these photos were taken; correct?

9 A. Some of them.

10 Q. Some of them. All right.

11 So no drugs were seized from Mr. Lockley from his person
12 or from his home or from his car at the time of arrest; right?

13 A. Right. I think we see -- we see several cell phones,
14 including the cell phone that was utilizing the 7780 number,
15 which was the Line 3 of our wiretap.

16 Q. So I asked you about any drugs seized.

17 A. No, no drugs.

18 Q. All right. I thought so.

19 But there -- the largest seizure of drugs that came into
20 evidence so far during the trial was from July 20th, 2015, at
21 532 Coventry Road; correct?

22 A. Correct.

23 Q. And that was before your agency even got involved in this
24 case; right?

25 A. That's correct.

~~AANONSEN~~ - CROSS

1 Q. All right. And that -- but you're aware of it from your
2 case agent role; correct?

3 A. Yes.

4 Q. And that was recovered from an apartment with -- from
5 inside -- I think there were 608 grams, gross weight, of
6 heroin.

7 A. Correct.

8 Q. And that was an apartment that was occupied by a
9 Karen Stinson and a Kameron Jamar Wilson; correct?

10 A. Kameron Wilson; correct.

11 Q. Right. And the grams of heroin were found in Kameron's
12 bedroom stuffed inside a futon; correct?

13 A. Yes.

14 Q. All right. And there was a hydraulic press there to make
15 kilo -- I mean kilo packages; right?

16 A. Correct.

17 Q. And you know Mr. Wilson pled guilty in a different case;
18 correct?

19 MS. HOFFMAN: Objection.

20 THE COURT: Sustained.

21 The jury will disregard.

22 BY MR. TRAINOR:

23 Q. But that's the only thing that's been mentioned about
24 Mr. Kameron Wilson in this case; correct?

25 A. Plus he was the stash house operator for

~~AANONSEN - CROSS~~

1 Adrian Jamal Spence.

2 **Q.** All right. But has that come in in testimony?

3 **A.** I believe it did.

4 **MR. TRAINOR:** All right. Thank you.

5 No further questions.

6 **THE WITNESS:** You're welcome.

7 **THE COURT:** All right. I think we need to -- there
8 may be some more questions, but it's probably a time to take
9 the mid-morning recess.

10 I'm going to start by excusing the jury.

11 (Jury left the courtroom at 11:53 a.m.)

12 **THE COURT:** And the witness can step down.

13 And a couple things before we take a break.

14 We did get a note from one of the jurors. It says,
15 "Will we be able to see all names with nicknames when we go
16 into deliberations? Reason asking, there are so many names
17 with numerous nicknames being thrown at us, it is confusing at
18 times."

19 So we will get back to reviewing in what fashion the
20 demonstrative exhibit can be prepared that would be --
21 Ms. Whalen doesn't want it all on one page. You know, there
22 should be some other way to do it. But I think the jury is
23 clearly interested.

24 And I'm just telling you that for right now.

25 I also want to briefly address Mr. Hazlehurst. You've

1 given me all these screenshots of all the lyrics or whatever
2 they are. And obviously I haven't heard from the Government.

3 I would -- in looking at it, I think this is a very
4 different situation from Mr. Lockley's notes, which were
5 sometime substantially later.

6 There are parts of this that I might think should be
7 excluded, and I don't know yet exactly what it is the
8 Government wants to put in, if they're offering the whole
9 thing. I could see parts of it that might be particularly
10 subject to exclusion.

11 But I cannot, looking at this so far, I can't make a
12 blanket decision, as I did with Mr. Lockley's, that this is
13 inadmissible. I think the context is different and the content
14 is different. So I just -- if you want to take another look at
15 it.

16 **MS. HOFFMAN:** And I can -- it might be helpful if I
17 just proffer that I'm not intending to read much of it in.

18 The part that I wanted to flag is the part where he
19 says [reading]: I'm on the run from the feds and still got
20 warrants in the state.

21 And then there's also it says [reading]: Federal
22 indictment. I'm on the run.

23 And there's one that says [reading]: Me and Syd
24 kickin' doors trying to lay some shake. Laying "N" words on
25 the floor. What's the code to the safe.

1 Which we believe is relevant to the Ricardo Johnson
2 murder, potentially.

3 And then one other is [reading]: Homie got booked for
4 a murder. He solid Omertà. Stayed silent Omertà.

5 Which, again, we think is potentially relevant to the
6 Ricardo Johnson murder.

7 **THE COURT:** How is that relevant to the
8 Ricardo Johnson murder?

9 **MS. HOFFMAN:** So I believe it's a reference to -- and
10 certainly it's open to other interpretations -- but a reference
11 to Sydni Frazier getting booked for the Ricardo Johnson murder.
12 And there has been some indirect, circumstantial evidence that
13 Mr. Davis may have been involved in that murder.

14 For instance, he was present when Sydni Frazier said
15 that he wanted to rob him. And then there are text messages in
16 Sydni Frazier's phone with the 4194 number where he says a few
17 days before the murder [reading]: Grab three black Jimmy Macks
18 or grab -- I think it's grab three black Jimmy Macks.

19 And then there's a call with Mr. Davis on the night of
20 the murder as well.

21 There has not been any testimony that he was involved,
22 but there is circumstantial evidence that he may have been
23 involved.

24 **THE COURT:** Okay.

25 **MR. HAZLEHURST:** And, Your Honor, in particular as to

1 that, I don't think that that, certainly through the witnesses;
2 that theory has been articulated by the Government.

3 In regard to the text message in regard to the
4 Jimmy Macks, that was on August 5th. As I pointed out in
5 cross-examination, there was no response from Mr. Davis that
6 said, Yes, I will do that, anything at all.

7 It was simply blank. It was sent by Mr. Frazier.
8 There were two text messages: Get three Jimmy Macks. One if
9 you're -- or two if you're coming along.

10 And no response from Mr. Davis in regard to that.

11 There was the mention of a call at 3:07 a.m. in the
12 records for 11 seconds. And, again, there is no -- as I asked
13 Agent Moore, there was nothing to indicate that the call was
14 picked up, responded to, whether it went to voicemail.

15 So really that's the only evidence in regard to
16 Mr. Davis that's been articulated in regard to the Johnson
17 homicide.

18 And I think there's the extreme potential prejudice if
19 that part of these -- what, again, I believe are rap lyrics.
20 And I'm not even sure -- quite frankly, Your Honor, I think
21 there are several points to be made in regard to this. One,
22 authorship, unlike something that's handwritten, unlike
23 something where there is a video of somebody actually reciting
24 or singing rap lyrics.

25 We don't know who ultimately did it. Again, it's

1 supposed to be taken from Mr. -- from a phone that was seized
2 from Mr. Davis.

3 But at that point we don't know whether somebody else
4 may have written it; he wrote it. We don't know that.

5 Two, obviously there is a lot of violence. As I think
6 the Court's alluded to, there are things in here that certainly
7 shouldn't come in because I think they are extremely
8 prejudicial and have no probative value.

9 **THE COURT:** What I was -- I did see the part about the
10 federal indictment and on the run. And it seems to me that's,
11 even though it's in a phone as compared to handwriting, the
12 circumstances would make it pretty likely that that is your
13 client. And I was thinking that that part of it would be
14 admissible.

15 I'm at the moment not persuaded about the murder.

16 **MR. HAZLEHURST:** And, Your Honor, and, again --

17 **THE COURT:** So if you can talk to -- we've got to take
18 a break. Talk to counsel about what exactly they were planning
19 to introduce, and maybe we won't have as much of an issue as we
20 did before.

21 Finally, coming back to, subject to Mr. Sardelli
22 finding something else over the break, but I've had a little
23 bit more chance to look at this report.

24 First of all, in terms of its being exculpatory,
25 Paragraph 6, I think it's open to more than one interpretation

1 about whether the supplier that they were waiting for on that
2 particular day was or was not the same person that Mr. Lee
3 referred to as his uncle who he said, Going to come for real.

4 So that's a separate issue. That's the exculpatory
5 part of it.

6 Other than that, it appears to be a hearsay statement
7 by someone named Mr. Lee. I should say it's Mr. Lee who made
8 the statement, which is being offered for the truth of it. And
9 I have not yet been persuaded, not yet been provided a hearsay
10 exception that would apply.

11 **MR. SARDELLI:** And I have another, you know, option,
12 Your Honor. This is actually videotaped. And clearly,
13 Agent Moore or Agent Aanonsen probably can authenticate the
14 videotape. Another option we have is --

15 **THE COURT:** That does not change the hearsay status of
16 the statement by Mr. Lee. The fact that it's on a videotape
17 does not change the hearsay status.

18 **MR. SARDELLI:** So my question would be: I should
19 cross-examine and -- for example, for Agent Moore, what I could
20 also do is cross-examine him about how the fact that they were
21 in Gwynn area, they ran a CI there to purchase or attempt to
22 purchase drugs, and my client did not come up. And the absence
23 of my client basically did not come up in the video, in any
24 conversations, or anything else. The absence of it would still
25 be relevant to ask him about without getting into the hearsay.

1 For example, they --

2 **THE COURT:** You're saying you think it would be
3 relevant that there was a purchase or an attempted purchase --

4 **MR. SARDELLI:** Yes.

5 **THE COURT:** -- on a particular date in that area and
6 that your client wasn't seen?

7 **MR. SARDELLI:** Wasn't seen. Didn't come up in the
8 video. Didn't come up at all. I think that would be relevant
9 and not the hearsay.

10 **THE COURT:** Okay. You can think about how relevant
11 that actually might be.

12 But that's certainly more likely to be acceptable than
13 something that asks to repeat Mr. Lee's hearsay statement.

14 Okay. We'll take a short break.

15 (Recess taken.)

16 **THE COURT:** Can I see counsel at the bench, please.

17 (Bench conference on the record:

18 **THE COURT:** Ms. Moyé advised me that one of the
19 jurors, she sits in the far --

20 **MR. HAZLEHURST:** Short hair?

21 **THE COURT:** -- all the way down there, she's the one
22 that has the bad knees.

23 **MR. HAZLEHURST:** Okay. Last juror?

24 **THE COURT:** Yes. She apparently asked Ms. Moyé,
25 "Should Mr. Davis be smiling at us?"

~~AANONSEN - CROSS~~

1 I do not know whether he was or was not smiling at the
2 jury. He doesn't. There's not anything wrong with smiling.

3 **MS. AMATO:** It's better than the alternative.

4 **THE COURT:** Sure. But I thought you'd want to know
5 that she asked that question of Ms. Moyé. So if you --

6 **MR. HAZLEHURST:** I will discuss that. It's not
7 something I've noticed. And obviously I confer with him, and
8 sometimes he smiles at me. And maybe there was --

9 **THE COURT:** That may be what's happened.

10 **MR. HAZLEHURST:** -- transferred intent, as a matter of
11 fact.

12 **THE COURT:** Okay. Thank you.)

13 (Bench conference concluded.)

14 **THE COURT:** All right. We'll get the jury.

15 **MS. HOFFMAN:** Your Honor, I'm sorry. I know the jury
16 is about to come in, but I did want to flag before . . .

17 (Jury entered the courtroom at 12:20 p.m.)

18 **THE COURT:** All right. Ms. Amato.

19 **MS. AMATO:** Thank you.

20 CROSS-EXAMINATION

21 **BY MS. AMATO:**

22 **Q.** Good afternoon.

23 **A.** Good afternoon.

24 **Q.** All right. So I have a couple of areas that I'd like to
25 question you regarding.

~~AANONSEN~~ - ~~CROSS~~

1 A. Sure.

2 Q. But we're going to start with the phone calls.

3 A. Sure.

4 Q. And you have identified on some of the calls that we heard
5 the voice of Mr. Anderson.

6 A. Correct.

7 Q. All right. And you -- when did you do this, first of all?
8 When was the first time you identified his voice as being on
9 those calls that you've identified?

10 A. 2016.

11 Q. When in 2016?

12 A. In the summer.

13 Q. The summer. Okay.

14 So that was prior to his arrest?

15 A. Correct.

16 Q. And at that point you had not interviewed him; correct?

17 A. That's correct.

18 Q. You had not spoken to him in any matter; correct?

19 A. That's correct.

20 Q. And so you based the identification of his voice on what?

21 A. I had seen the video of him speaking that we just saw.

22 Q. The video when he's in a vehicle?

23 A. That's correct.

24 Q. So that -- that video is what you used, then, to base
25 the --

~~AANONSEN - CROSS~~

1 A. I wasn't the first person to identify him, but
2 subsequently, yes, I agreed with the identification.

3 Q. Okay. All right. And certainly the -- when his residence
4 was searched -- and, of course, as the case agent, you know
5 that there was a phone that was recovered; correct?

6 A. I believe several phones.

7 Q. Okay. Well, you think that there were several phones that
8 were recovered?

9 A. I believe.

10 Q. Okay. And none of those phones had the number that
11 coincided with the number that was being called on the -- by
12 the voice that you've identified as Mr. Anderson; correct?

13 A. That's correct.

14 Q. All right. Let's talk about some of these phone calls.

15 So specifically as to call, which was Call Number 4604 and
16 it was on -- and it's on Page 164. And I'm going to bring up
17 the transcript.

18 All right. So this was a call that you identified
19 Mr. Anderson's voice on; correct?

20 A. Correct.

21 Q. And you see there is in this a reference to Stinka;
22 correct?

23 A. Correct.

24 Q. Are you familiar with who that is?

25 A. No.

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1 Q. And that was a name that you had heard that -- this
2 particular voice say on other calls as well?

3 A. Yes.

4 Q. All right. There was also a call, Call Number 4863,
5 Call 4863 on Page 168. I'll pull up the transcript.

6 And this was a phone call in which the voice you've
7 identified as Mr. Anderson was concerned about some people
8 talking about him; correct?

9 A. Yes.

10 Q. All right. Where it says about the situation here, it's
11 the voice identified as Lockley. He says [reading]: About the
12 situation. Saying the village "N" word keep talking about what
13 Bo ain't right.

14 And the next voice says [reading]: Well, who? That's
15 what I'm saying. Who's basically saying it?

16 Now, are you aware as the case agent that Mr. Anderson had
17 recently been released from jail?

18 A. I don't recall.

19 Q. Were you -- do you recall, then, at all during the summer,
20 July 1st through July 5th, whether he had been incarcerated, of
21 2016?

22 A. I couldn't tell you as I sit here today exactly when he
23 was incarcerated.

24 Q. Did you look into anything like that?

25 A. Sure.

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1 Q. Okay. I'm going to jump ahead to Call 4910. And in this
2 call you've identified a third voice, Mr. Bowling, as well,
3 correct --

4 A. Correct.

5 Q. -- besides Mr. Lockley's voice and besides Mr. Anderson.
6 And in this call, you were asked if you -- and let me ask
7 you this. Let me step back.

8 The transcripts, did you prepare these transcripts?

9 A. Not all of them, but I've reviewed all of them.

10 Q. Okay. When you say "not all of them," do you know if you
11 prepared any of these transcripts that you were shown in which
12 the voice of Mr. Anderson was identified --

13 A. Yes.

14 Q. -- by you?

15 Did you prepare any of these?

16 A. Yes. Not -- not these ones that you showed me, but some
17 of them I have.

18 Q. Okay. So this one you have not prepared?

19 A. No.

20 Q. So this was something that another person had prepared.
21 And then you basically listened to the phone call, and it
22 sounded more or less correct; right? Is that basically it?

23 A. No. I reviewed it after they transcribed it.

24 Q. Okay. Well, you would agree with me, then, that in this
25 call there's portions where it's hard to hear some of what's

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1 being said?

2 **A.** Some of the calls were like that, yes.

3 **Q.** Okay. And I'm going to play this one for you, but in this
4 call there is discussion about 9 o'clock; remember that?

5 **A.** Yes.

6 **Q.** And in this call it's your interpretation that you hear
7 them saying -- Bowling saying about [reading]: At 9:00 when we
8 open.

9 **A.** Yes.

10 **Q.** All right. I'm going to have you listen to the call --
11 let me ask you this, too: Have you listened to any of these
12 calls with headphones?

13 **A.** Yes.

14 **Q.** Okay. But let's listen to this call, because I'd ask you
15 to listen to hear -- if you can hear that Mr. Bowling says when
16 the rent -- when the -- the rent office opens.

17 (Audio was played but not reported.)

18 **BY MS. AMATO:**

19 **Q.** Now, there was a portion that you couldn't -- could you
20 understand everything that was being said during that portion?

21 **A.** No.

22 (Audio was played but not reported.)

23 **BY MS. AMATO:**

24 **Q.** Did you hear that "9 o'clock"?

25 **A.** I heard -- I still heard the same thing that's in the

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1 transcript [reading]: At 9 o'clock when we open.

2 Q. All right. So, I mean, we're not hearing it with
3 headphones. We're hearing it in this large room.

4 But at a point -- at 44 -- actually, at around 42 seconds,
5 I'll play it again -- whoops.

6 (Audio was played but not reported.)

7 BY MS. AMATO:

8 Q. So, again, before he's saying that "about 9:00," it is
9 difficult to hear; you'll agree with that?

10 A. Correct; but he says "when we open." Mr. Bowling didn't
11 work at the rent office.

12 Q. Right. Well, he -- let me tell you -- let me ask you
13 this: Are you aware where he was living?

14 A. Yes.

15 Q. Okay. He was in an apartment building; correct?

16 A. Correct.

17 Q. All right. And so an apartment building has a rental
18 office?

19 A. That's correct.

20 Q. All right. And so if he -- if he was saying -- maybe you
21 can't hear it -- but if -- if he was saying about rental office
22 opening at 9 o'clock, that would be consistent with where he
23 was living; correct?

24 A. I'm sure the apartment complex had a rental office.

25 Q. Okay. So that would be consistent with where he was

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1 living.

2 A. That it had a rental office?

3 Q. Yes.

4 A. Yes.

5 Q. Okay. All right. Again, that was in Call 4910. And the
6 part where it's a little difficult to hear was around
7 43 seconds in the recording.

8 Now, I'm going to turn over to Call Number 4903 -- I'll
9 actually backtrack and first go through the transcript.

10 And was -- this was on August the 3rd, 2016. Was this a
11 phone -- a transcript that you prepared, or was this another
12 one that someone else prepared and then you reviewed it?

13 A. I prepared it.

14 Q. You prepared this. Okay.

15 All right. Now, here you've identified, you believe, that
16 the voice you identified as Anderson stated [reading]: As
17 Creams.

18 See that on this page, the first page of the transcript?

19 A. Yes.

20 Q. All right. And you would agree with me that beans, as in
21 B-E-A-N-S, sound very similar to Creams?

22 A. I agree with you beans sounds similar to Creams.

23 Q. Okay. And so that is a name, a word that could be easily
24 misheard.

25 A. What I transcribed is what I heard.

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1 Q. But you agree with me that that could be misheard. Beans
2 could be misheard for Creams because it sounds very similar?

3 A. No. I heard Creams.

4 Q. I'm not asking -- I'm asking -- listen to my question.
5 Beans could be misheard for Creams.

6 A. Yes.

7 Q. You've told us that you've listened to many more phone
8 calls than what were played for you in court.

9 A. That's correct.

10 Q. All right. And particularly to Transcript TT-3. And
11 having listened to all of these various phone calls, you do
12 know that there was -- there were conversations in these calls
13 in which the voice you've identified as Lockley was speaking
14 with the voice you identified as Anderson in regards to Charlie
15 wanting to purchase a BMW from Mr. Anderson.

16 A. Yeah, I do recall a phone conversation about that.

17 Q. And so now we've listened to Call 6022. Let me get to the
18 transcript on that.

19 And this was a call on August the 10th of 2016; correct?

20 A. Correct.

21 Q. And this was a call in which Charlie is mentioned;
22 correct?

23 A. Correct.

24 Q. And you had said that you've -- you identified through
25 your investigation a Charlie Banks; correct?

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1 **A.** No. Charles Jeffries, Charlie Blackwell.

2 **Q.** Charlie -- I'm sorry. My mistake. Charlie Blackwell.
3 Right.

4 **A.** Correct.

5 **Q.** Okay. So it was Charles -- say it again. Charles Jen --
6 what was the first name?

7 **A.** Charles Jeffries.

8 **Q.** Charles Jeffries.
9 And Charlie Blackwell?

10 **A.** Correct.

11 **Q.** All right. And Charlie Blackwell, you also know, went by
12 the name C-Bo.

13 **A.** That's correct; one of his names.

14 **Q.** C-B-O, correct.

15 All right. So in this call on August 10th, 2016, there is
16 mention again by the voice you've identified as Lockley as
17 Charlie; correct? It says [reading]: Me and Charlie trying to
18 get to you today or tomorrow.

19 Correct?

20 **A.** Correct.

21 **Q.** And this was on August 10th, 2016, at 5:51.

22 Now, that was a call that occurred right after -- I'm
23 sorry.

24 A call -- yes, right after a call between Mr. Lockley and
25 Mr. Anderson on that same day at 6:02 -- excuse me.

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1 This call occurred right before a call between
2 Mr. Anderson -- Anderson's voice and Mr. Lockley in which they
3 discuss the -- the desire of Charlie to purchase a BMW from
4 Anderson.

5 **A.** I didn't hear the call about the BMW.

6 **Q.** Okay. All right. Well, let me -- let me show you . . .
7 (Counsel conferred.)

8 **MS. AMATO:** So I'd like to -- Your Honor, if I could
9 approach the witness.

10 **BY MS. AMATO:**

11 **Q.** First of all, were line sheets prepared as these calls
12 were coming through the system, being recorded?

13 **A.** Sometimes not immediately, no.

14 **Q.** Okay. But there were line sheets?

15 **A.** Yes.

16 **Q.** All right. And line sheets basically are notes of the
17 phone calls; correct?

18 **A.** Yes.

19 **Q.** And then later, of course -- they're not actual
20 transcripts. Sometimes they are as detailed as transcripts,
21 but sometimes they're just basically notes; correct?

22 **A.** Yeah. I mean, there's so many calls that come through.
23 They just make notes on who's on the call and what basically
24 the substance is.

25 **Q.** All right. So I'd like to show you line sheets pertaining

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1 to this phone call.

2 If you could just take a look at this and read it, see if
3 it refreshes your recollection (handing).

4 **A.** Right here (indicating)?

5 **Q.** Yes. Uh-huh.

6 **A.** (Reviews document.)

7 Okay.

8 **Q.** So does having reviewed this line sheet refresh your
9 recollection that on August 10th, 2016, in Call 6028 at 18:05,
10 which is 16:05, that there was a call in which specifically
11 there is mention about Charlie being interested in purchasing a
12 BMW?

13 **A.** Yes.

14 **Q.** Okay. Now, we heard a phone call on August the 11th. I'm
15 going to show you a transcript. It's 6217, which was on
16 Page 228. Oops.

17 And in this call -- all right. A couple of things.

18 This -- first of all, the date on this call is
19 August the 11th of 2016 at 7:40 p.m.; correct?

20 **A.** That's correct.

21 **Q.** All right. And in this call there is a question of --
22 asking whether you got it. And then -- was this a transcript
23 that you prepared, or was this a transcript that you reviewed?

24 **A.** I repaired -- I prepared it.

25 **Q.** All right. And you, then, believe that at the very end of

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1 the call, Mr. Anderson -- the voice you identified as
2 Mr. Anderson said [reading]: Man, yo, you been dropping a lot
3 of motherfucking names lately, yo.

4 And, again, did you listen to this phone call with
5 headphones?

6 **A.** Yes.

7 **Q.** All right. And you would agree with me that "dropping a
8 lot of motherfucking names" sounds similar to "playing a lot of
9 games"?

10 **A.** Yes.

11 **Q.** And so, actually, let's play this call.

12 (Audio was played but not reported.)

13 **BY MS. AMATO:**

14 **Q.** Do you still stand by your transcript?

15 **A.** Yeah. That's still what I heard.

16 **Q.** Now, before this transcript -- again, as you said, you've
17 been -- you've listened to a lot more than just these phone
18 calls.

19 Before this call, excuse me, there was a call in which the
20 voices that you've identified as Lockley and Anderson discuss
21 getting ready for a concert to see Lor Sean.

22 **A.** I didn't hear that one today, and I don't recall that one.

23 **Q.** Okay. So I'd like to show you again . . .

24 (Counsel conferred.)

25 **BY MS. AMATO:**

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1 Q. All right. I'd like to -- and I guess I didn't mark --
2 I'm going to mark this for identification, what I'm showing the
3 witness.

4 THE CLERK: 12.

5 MS. AMATO: Number 12?

6 THE CLERK: Yes.

7 MS. AMATO: If I can approach the witness?

8 THE COURT: You may.

9 BY MS. AMATO:

10 Q. I'd like to show you again what I've marked as
11 Defense Exhibit No. 12. And the bottom portion, if you'd just
12 review that, please (handing).

13 A. (Reviews document.)

14 Okay.

15 Q. Okay. And does that refresh your recollection regarding
16 that phone call?

17 A. I don't remember reviewing that phone call.

18 Q. You don't remember reviewing that call. All right.
19 But having reviewed it now --

20 MS. HOFFMAN: Objection.

21 THE COURT: Do you want to approach the bench.

22 (Bench conference on the record:

23 MS. AMATO: It's the bottom one.

24 MS. HOFFMAN: I think the witness just said that it
25 didn't refresh his recollection or he didn't remember reviewing

1 that call, so I don't think that it's proper.

2 **THE COURT:** Right. But -- I mean, are you quarreling
3 with the summary in the line sheet?

4 **MS. HOFFMAN:** Well, I mean, I don't know. I don't
5 think he prepared the summary and I don't think he remembers
6 the call.

7 **MS. AMATO:** I mean, these are the line sheets that I
8 got, obviously, from the Government. They're voluminous, and
9 so I took out the ones that I needed for this.

10 I don't have the phone call with me. I don't know if
11 the Government does. So --

12 **MS. HOFFMAN:** I mean, I think it's fine to ask him
13 about the call. But if he doesn't remember it, you know, he
14 doesn't --

15 **THE COURT:** But how did we get into evidence the fact
16 that the line sheet, which presumably you think is reasonably
17 accurate -- it's not a transcript -- that there's a line sheet
18 that reflects that some government agent listened to this call
19 and thought they heard a conversation about a performance for
20 Team Cash? Which doesn't seem to be inconsistent with your
21 evidence anyway.

22 **MS. HOFFMAN:** I think -- I mean, I think it's fine.
23 We can proceed this way. I just -- I mean, I don't think --

24 **THE COURT:** I understand. He doesn't remember. It's
25 not a transcript. That can be made clear. It's just a summary

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1 that some other agent put in there.

2 **MS. AMATO:** Okay.)

3 (Bench conference concluded.)

4 **BY MS. AMATO:**

5 **Q.** Agent Aanonsen, I understand there's a lot of phone calls.
6 You're not going to remember every single one of the call
7 [sic].

8 But you are aware, as you told us, that line sheets were
9 prepared in this case; correct?

10 **A.** Correct.

11 **Q.** Sometimes right at the time the call's being listened to,
12 sometimes afterwards; correct?

13 **A.** Correct.

14 **Q.** And in this particular line sheet, there is a reference
15 that the voice identified as Lockley and the voice identified
16 as Anderson were discussing approximately -- the need for
17 approximately 15 shirts for Lor Sean's Friday night
18 performance; correct?

19 **A.** Those aren't my notes, and I haven't reviewed that call.

20 **Q.** I understand that, but that's what the line sheet shows;
21 correct?

22 **A.** That's what the line sheet you showed me shows.

23 **Q.** And Anderson -- the voice identified as Anderson
24 instructed Lockley to put TC on the hats as an acronym for
25 Team Cash; correct? That's what the line sheet shows; correct?

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1 A. Correct.

2 Q. And both parties acknowledge that shirts, hats, and an
3 outfit for the artist was needed; correct?

4 A. Correct.

5 Q. And this was call -- identified as 6160 on August 11th,
6 2016, at 13:20 hours, according to this line sheet; correct?

7 A. Correct.

8 Q. And in this case we have seen photographs of a party, an
9 all-white party, in which we've seen T-shirts with "Team Cash"
10 written across the T-shirts; correct?

11 A. Correct.

12 Q. And on Call 74 -- call number 7455, which you've already
13 listened to, which is transcript Page 244. I'll go to the
14 transcript.

15 This was a call, again, in which Mr. Lock -- you've
16 identified the voice of Mr. Anderson as one of the speakers;
17 correct?

18 A. Correct.

19 Q. And in this call again, there is mention of that same
20 Charlie who was in need of a BMW.

21 A. I don't know if it's the same Charlie. He does make
22 reference to Charlie.

23 Q. Well, we see the same name, Charlie; correct?

24 A. Correct.

25 Q. And one last phone call which you were played this

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1 morning, which was 7392. I'll show you the transcript.

2 This was a call on October 15th of 2016 at around 15:33.

3 Again --

4 A. August.

5 Q. I'm sorry. August. What did I -- did I say --

6 A. October.

7 Q. -- October?

8 August. Excuse me. August 15th of 2016. And this was,
9 again, a call in which you identified Mr. Anderson on the call.

10 And in this call we hear or we see in this transcript I'm
11 showing you that there's a question of [reading]: You get that
12 other girl.

13 And Anderson -- the voice of Anderson -- you've identified
14 as Anderson says [reading]: Yeah, hell, yeah, damn.

15 And then later on in that phone call, the voice of
16 Anderson says [reading]: Good looking.

17 Do you see that?

18 A. He gave a salutation [reading]: Good looking player.

19 Q. Well, you're -- you've just said that. I mean, he
20 didn't -- when he -- when he said the word "good looking," that
21 was after the word "girl"; correct?

22 A. That phrase appears after the word "girl" in the
23 transcript.

24 Q. Right. Thank you.

25 And it's also heard after the word "girl" in the

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1 recording?

2 **A.** Correct.

3 **Q.** Again, as to other phone calls which were not played for
4 you, you do recall there was a phone call in which a voice
5 identified as Tiffany Bailey had called the voice identified as
6 Lockley asking for Lockley to call Bo to purchase a vehicle.

7 **A.** Yes.

8 **Q.** And in that call, she's herself; specifically did not want
9 to speak with Bo, but she had asked Lockley -- to go through
10 Lockley to speak with Bo about a vehicle purchase.

11 **A.** Yes.

12 **Q.** All right. I'm going to move away from the phone calls.

13 You've also testified about having interviewed
14 Mr. Anderson.

15 **A.** Yes.

16 **Q.** And that was at the -- the day that he was arrested in
17 this case; correct?

18 **A.** September 27th, 2016.

19 **Q.** Correct. All right.

20 And you -- excuse me, first encountered him that morning
21 at his residence?

22 **A.** Yes.

23 **Q.** He was already handcuffed at that point?

24 **A.** Yes.

25 **Q.** Because you were not actually part of the entry team, were

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1 you?

2 A. No.

3 Q. All right. So it's your understanding that the entry team
4 came in at around 6 -- 6:00 a.m., in the morning?

5 A. That's correct.

6 Q. And then sometime between 6:00 a.m. and 6:15 is when
7 you -- you arrived; correct?

8 A. Correct.

9 Q. All right. And so you don't know where specifically
10 Mr. Anderson had been located in the residence, do you?

11 A. I believe they actually located him in the living room
12 when they made entry.

13 Q. Okay. And so when he -- so when you arrived, he was in
14 the living room. But as you said, he was handcuffed?

15 A. That's correct.

16 Q. And he had on basically a robe?

17 A. That's correct.

18 Q. Now, once you entered the picture and entered his living
19 room, from there on out, he was in your custody.

20 A. That's correct.

21 Q. So anything that he did had to be okayed by you; correct?

22 A. That's correct.

23 Q. Anything -- anywhere he went, you were with him.

24 A. Yeah. At that point he was under arrest.

25 Q. Right. So he was not free to move around his house

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1 anymore, even though he was still in his house.

2 A. That's correct.

3 Q. And when you arrived, he wasn't just sitting in his living
4 room by himself; he was surrounded by other officers.

5 A. There was a search warrant team that had just executed a
6 warrant there, yes.

7 Q. But besides that -- I mean, besides the search warrant who
8 were conducting the warrant, there were other officers that
9 were actually surrounding him; right? They were watching over
10 him. They were there to make sure and watch over him until you
11 arrived.

12 A. I mean, I arrived like eight minutes after they made
13 entry. I can't speak for what they did for those eight
14 minutes. But when I arrived, he was standing there with one
15 other officer.

16 Q. And that's what I'm trying to get at is when you arrived,
17 there were other officers that were around him.

18 A. That's correct.

19 Q. And besides the officers that were around him, there were
20 even more officers that were within the residence, circulating
21 through the residence.

22 A. That's correct.

23 Q. And there were at least 15 -- 15, excuse me,
24 Baltimore County police officers present.

25 A. I don't think there were 15 Baltimore County. Maybe 15

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altogether, between ATF and Baltimore County.

MS. AMATO: Court's indulgence.

BY MS. AMATO:

Q. All right. Do you recall testifying in a hearing back on -- well, I don't have the date. Do you recall testifying in a motions hearing regarding this case?

A. Yes. And I said -- I responded "yes" to your question for 15 Baltimore County police officers.

Q. And, well, you said, in fact, that that's probably a good estimate.

A. Correct.

Q. All right. And then you also said there were probably at least about five other ATF agents as well.

A. Yes.

Q. All right. And all officers, of course, had weapons on them; correct?

A. That's correct.

Q. All right. And -- all right.

So once you arrive, you see that Mr. Anderson is in a robe. You decide that since you're going to arrest him, obviously, that he should be clothed; correct?

A. Correct; pursuant to an arrest warrant.

Q. All right. Pursuant to arrest warrant.

And so you take him -- you escort him up to his bed -- to a room, correct, in the house?

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1 A. Myself and approximately two other officers escorted him
2 to the room in which he identified his clothes to be in.

3 Q. Okay. And at that point you and the other officers then
4 searched the clothes before he put them on; correct?

5 A. Yes.

6 Q. And, of course, that's done just to make sure that there's
7 nothing in the clothes that could harm him, could harm anybody
8 else; correct?

9 A. That's correct.

10 Q. Make sure that he's not hiding any evidence; correct?

11 A. That's correct.

12 Q. Because, of course, that's also another reason why
13 everybody's there, is to search the residence for evidence;
14 correct?

15 A. That's the main reason they're there.

16 Q. Right. And so that search of the items of his clothing
17 was done; correct?

18 A. Correct.

19 Q. And then he put on his clothing?

20 A. He put his clothing on.

21 Q. Right. And then at that point you escorted him out of the
22 residence?

23 A. That's correct.

24 Q. All right. And so after he was escorted out of the
25 residence, at no time was he permitted to come back in his

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1 residence, was he?

2 A. No.

3 Q. All right. And so from the residence, he was then taken
4 to your vehicle.

5 A. That's correct.

6 Q. And going through the sequence, from your vehicle he was
7 then taken -- an ATF vehicle, I should say; correct?

8 A. That's correct.

9 Q. And then from the ATF vehicle, he was taken to the ATF
10 building.

11 A. Yes; later.

12 Q. And then from the ATF building, he was taken to a
13 detention center.

14 A. He was taken to the U.S. Courthouse, right here.

15 Q. Okay. U.S. Courthouse and then detention center; correct?

16 A. I didn't transport him to the detention center.

17 Q. But you were aware that he was then taken to a detention
18 center?

19 A. I believe that's where the marshals take people.

20 Q. Okay. That's what I'm asking. All right.

21 And clearly, since you were in the room when he took his
22 robe off, you were able to see if he had any tattoos on his
23 body; correct?

24 A. I wasn't looking at him for tattoos. Actually, we didn't
25 really want to look at him because it was embarrassing. He was

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1 completely naked.

2 **Q.** Okay. So at that point you didn't look at his body to
3 determine whether he had any tattoos on him.

4 **A.** No. I didn't make him strip and look for tattoos.

5 **Q.** Well, I'm not asking -- I'm not asking whether you made
6 him strip. You clearly made him put his clothes on so that he
7 could then be searched -- then he could be, excuse me, taken
8 down --

9 **A.** I allowed him to put his clothes on.

10 **Q.** All right. You allowed him to put his clothes on.

11 But during that time that you allowed him to put his
12 clothes on, you're saying that then you did not look at his
13 body to determine whether he had any tattoos on him.

14 **A.** No.

15 **Q.** So you don't know whether he has any tattoos as he sits
16 here today, is what you're saying.

17 **A.** No.

18 **Q.** Okay.

19 **THE COURT:** Ms. Amato, when you're at a good breaking
20 point, we should probably take the lunch recess.

21 **MS. AMATO:** Okay. Court's indulgence.

22 I think this is a fine time, then. Thank you.

23 **THE COURT:** Okay. All right.

24 We will take the lunch recess until 2 o'clock. The
25 ladies and gentlemen of the jury will be excused first.

1 (Jury left the courtroom at 12:56 p.m.)

2 **THE COURT:** All right. The witness can step down.

3 And the gallery is excused.

4 **MS. HOFFMAN:** Your Honor, I have one issue I wanted to
5 flag before we break for lunch.

6 **THE COURT:** Okay. Quickly.

7 **MS. HOFFMAN:** We can address it when we come back from
8 lunch. But before the jury comes back in, Mr. Hazlehurst and I
9 have discussed the matter of Shakeen Davis's prior conviction.
10 He does not wish to stipulate. A stipulation has been
11 proposed.

12 And so we would ask that, Your Honor, before we call
13 Agent Moore, who will be putting in that prior conviction, that
14 Your Honor instruct Mr. Davis about the consequences of that
15 choice and what the jury can and can't consider.

16 **THE COURT:** Okay. Mr. Hazlehurst.

17 **MR. HAZLEHURST:** Yes, Your Honor. I have had the
18 opportunity to speak with Mr. Davis about the matter. I have
19 showed him the certified records the Government intends to
20 introduce in lieu of a stipulation as well as a booking photo
21 and the fingerprints. It is still Mr. Davis's intention not to
22 stipulate to the fact of his one prior conviction.

23 **THE COURT:** Okay. What is that one prior conviction?

24 **MS. HOFFMAN:** It's a conviction for handgun on person
25 from 2012 -- or, I'm sorry, the arrest was in 2012. I think

1 the conviction may not have been until 2013.

2 **MR. HAZLEHURST:** Your Honor, the jury's actually heard
3 evidence of that in this case, so . . .

4 **THE COURT:** Okay. All right. So just to be clear,
5 Mr. Davis, you've heard what counsel have said. Is that -- is
6 it correct that you do not wish to stipulate, that you -- just
7 simply that you have a prior conviction; you would rather have
8 the jury be told what your conviction is for?

9 **DEFENDANT DAVIS:** Yes, Your Honor.

10 **THE COURT:** Okay. Then we'll go ahead and prove it
11 that way.

12 I will instruct the jury, just as I did for the other
13 gentleman, the limited purpose for which they may consider that
14 prior conviction.

15 **MR. HAZLEHURST:** Thank you, Your Honor.

16 **THE COURT:** Thank you.

17 All right. We'll recess until 2:00.

18 (Luncheon recess taken.)

19 **THE COURT:** All right. Anything that needs to be put
20 on the record before we bring the jury in?

21 **MR. HAZLEHURST:** Your Honor, I've discussed --
22 Paul Hazlehurst on behalf of Mr. Davis. I've discussed with
23 Ms. Hoffman the -- Exhibit CELL-3.

24 And it's my understanding the Government will restrict
25 introducing anything but two references to Mr. Davis saying, "I

1 am on the run," which would be on my sheets Page 14-C: "I'm on
2 the run from the feds and still got warrants in the state."

3 And then on my Page 15-B, federal indictment, "I'm on
4 the run."

5 But the rest would not be introduced to the jury.

6 **MS. HOFFMAN:** And that's correct. That's all I plan
7 to flag.

8 I don't have a redacted version of the exhibit, so I
9 was just going to flag those parts. And then I guess I would
10 just zoom in on those parts and then if we -- if that's okay.
11 And then we can -- in terms of what goes back to the jury
12 afterwards, we can deal with it.

13 **MR. HAZLEHURST:** That's fine. That's fine. Sure.

14 **THE COURT:** Yes. If you can do it by zooming in. I
15 guess another way would be to circle what you want the witness
16 to read and just have the witness read that part so there
17 wouldn't be any --

18 **MR. HAZLEHURST:** And, Your Honor, the Government is
19 free to use my copy if it wishes.

20 **THE COURT:** All right. Thank you. We'll get the
21 jury.

22 (Jury entered the courtroom at 2:10 p.m.)

23 **THE CLERK:** Agent Aanonsen, you're still under oath.

24 **THE WITNESS:** Yes, ma'am.

25 **THE COURT:** All right. If you'd like to continue,

~~AANONSEN~~ - CROSS

1 Ms. Amato.

2 **MS. AMATO:** Thank you, Your Honor.

3 **BY MS. AMATO:**

4 **Q.** Good afternoon, Agent Aanonsen.

5 **A.** Good afternoon again.

6 **Q.** Before lunch, we left with Mr. Anderson dressing himself
7 back at his residence.

8 **A.** Correct.

9 **Q.** Okay. And I had asked you whether you had observed any
10 tattoos on his body. And you told me that, out of
11 embarrassment, you shielded your eyes and you did not look at
12 him while he was dressing.

13 **A.** That's correct.

14 **Q.** All right. And at this point, September 27th of 2016, it
15 had already been about six months that Mr. William Banks had
16 been cooperating with law enforcement; correct?

17 **A.** Well, specifically with ATF.

18 **Q.** Or excuse me. You're right. With ATF. That's right.
19 Specifically with ATF, six months. Prior to that, he had been
20 cooperating with local law enforcement.

21 **A.** That's correct.

22 **Q.** And so at least as to information from William Banks, he
23 was claiming that there were certain tattoos that were
24 relevant.

25 **A.** He said some members had tattoos.

~~AANONSEN - CROSS~~

1 Q. Right. And there were certain tattoos that he had
2 identified.

3 A. Yes.

4 Q. And one was like an M; correct?

5 A. Correct.

6 Q. A lightning bolt?

7 A. Uh-huh.

8 Q. A shield?

9 A. Yes.

10 Q. Wolf imprint?

11 A. Yes.

12 Q. All right. And so even though having had all that
13 information from Mr. William Banks, you did not look at
14 Mr. Anderson while he was getting dressed?

15 A. No.

16 Q. And, again, we had established that obviously, as
17 Mr. Anderson was in your custody at this point, you were
18 watching, of course, to see what he was putting on; correct?

19 A. Correct.

20 Q. And that you searched what he put on?

21 A. That's correct.

22 Q. And so he put on clothes?

23 A. I believe it was like a gray sweatsuit.

24 Q. All right. And at no time did he ask to put on --
25 anything in his mouth?

~~AANONSEN~~ - CROSS

1 A. No.

2 Q. At no time did you see anything in his mouth --

3 A. I did not.

4 Q. -- besides his teeth?

5 A. Besides his teeth, that's correct.

6 Q. So once he was taken fully clothed out of the residence,
7 he was then escorted into your vehicle, the ATF vehicle.

8 A. Yes.

9 Q. And at that point is when, in essence, your interview
10 began with him.

11 A. Correct. I read him his rights from a Miranda card
12 verbally, and that's when I asked him a question.

13 Q. All right. So questions were asked of him; correct?

14 A. Correct.

15 Q. Answers were given.

16 A. Yes.

17 Q. But initially, you said he was given his Miranda rights,
18 but he was not given any form, Miranda form to sign, was he?

19 A. Not until 6:31.

20 Q. 6:31. All right. So we have a certain at least ten- to
21 fifteen-minute time period in which he had not been given the
22 Miranda form to sign.

23 A. Correct. 16 minutes.

24 Q. Okay. And the whole time he was in the vehicle, he was
25 handcuffed?

~~AANONSEN - CROSS~~

1 A. Yes; in the front.

2 Q. In the front of his body?

3 A. Body, correct.

4 Q. All right. And, of course, the ATF vehicle was parked in
5 the front of his residence.

6 A. Yeah.

7 Q. All right. And there were other, obviously, ATF vehicles;
8 correct?

9 A. Yes.

10 Q. And there were other -- obviously other police vehicles in
11 that vicinity.

12 A. Correct.

13 Q. And a K9 had been brought down; correct?

14 A. Yes.

15 Q. All right. And were you aware where that K9 was at the
16 time that Mr. Anderson was being interviewed in the vehicle --
17 in your vehicle?

18 A. I don't recall there being any interaction with the K9.

19 Q. Okay. Did you speak with Mr. Anderson to determine
20 whether he was afraid of dogs?

21 A. No. The question never came up.

22 Q. And this written statement that -- and we'll get to it in
23 a minute -- but this written statement was something that
24 occurred in the ATF vehicle.

25 A. Correct.

~~AANONSEN - CROSS~~

1 Q. All right. And it was -- and, first of all, in the
2 vehicle, there was no recording that was conducted of this;
3 correct?

4 A. No.

5 Q. There was no audio recording; correct?

6 A. No audio.

7 Q. There was no video recording.

8 A. No video.

9 Q. You did have your cell phone with you.

10 A. I did.

11 Q. Your partner had his cell phone.

12 A. I don't know.

13 Q. All right. Well, you had your cell phone.

14 A. I did.

15 Q. And your cell phone, you know your cell phone records.

16 A. Yes, it does.

17 Q. All right. So when he was given his Miranda warnings --
18 and I'm going to show you Government's exhibit in a moment --
19 Government's Exhibit INT-I-A.

20 It should now be on the screen, hopefully?

21 THE CLERK: No.

22 MS. AMATO: No?

23 Yes.

24 THE WITNESS: Yes.

25 BY MS. AMATO:

~~AANONSEN - CROSS~~

1 Q. Okay. This occurred in your vehicle, in the ATF vehicle?

2 A. That's correct.

3 Q. Okay. So, again, during the giving of these rights and
4 the signing of this document, we have nothing that's actually
5 visually recorded for us, do we?

6 A. No.

7 Q. And although in this recording -- excuse me.

8 Although in this Miranda warnings he's informed -- there
9 is an information that he has the right to an attorney, at no
10 time was it explained to him how he could have an attorney
11 before he speaks with law enforcement, was it?

12 A. He was given his Miranda warnings. He never once asked
13 for an attorney.

14 Q. Okay. So my question was to you: He was never explained
15 the process of how he could have an attorney present if he had
16 wanted one?

17 A. It was explained through his Miranda rights.

18 Q. Right. But we just read the Miranda rights. We can look
19 at those again. There is nothing that specifically explains
20 the process besides that one could be appointed to him, the
21 process of while he's sitting in your vehicle, in the ATF
22 vehicle the morning of September 27th at 6:15-ish, 6:30 a.m.,
23 how he could obtain an attorney.

24 A. "You have the right to talk to a lawyer before we ask you
25 any questions and have a lawyer with you during questioning.

~~AANONSEN - CROSS~~

1 If you cannot afford a lawyer, one will be appointed for you if
2 you wish before any questioning begins."

3 Q. Well, let me ask it this way: So if he had said he wanted
4 an attorney, then you would have had to stop interviewing him;
5 correct?

6 A. That's correct.

7 Q. All right. And he wouldn't have had an attorney come down
8 to the vehicle at that point. He would have had to wait till
9 court to then be appointed an attorney; correct?

10 A. Right. We would have terminated the interview.

11 Q. Right. Okay. And he would have come to court and
12 received an attorney through an appointment process; and then
13 if he wanted, the interview could continue?

14 A. Yes.

15 Q. And so that was never explained to him, was it?

16 A. No. I didn't explain that entire process.

17 Q. And in the vehicle, as you stated, ultimately at some
18 point there was this written question-and-answer affidavit that
19 was signed?

20 A. That's correct.

21 Q. All right. And, again, we don't have any recording of
22 what transpired before the affidavit was signed or during the
23 signing of this form; correct?

24 A. No; just myself and another law enforcement officer.

25 Q. And there were clearly discussions that occurred prior to

~~AANONSEN - CROSS~~

1 the signing and the writing on this form.

2 A. Yes.

3 Q. All right. Because this form actually shows -- and I can
4 put it back up. This is Government's Exhibit 1 -- 1-T --
5 INT-I-B, it shows that this was signed at approximately
6 6:48 a.m.

7 A. That's correct.

8 Q. And so Mr. Anderson and you would have been discussing
9 things for at least a good 20 to 30 minutes beforehand.

10 A. That's correct.

11 Q. Now, in this document there is mention of Mr. Anderson's
12 wife.

13 A. Correct.

14 Q. And he writes here, says -- well, it says here -- whoops.
15 Let me . . .

16 [Reading]: My wife doesn't know about it.

17 Correct?

18 A. That's correct.

19 Q. And [reading]: Not hers.

20 It's written; correct?

21 A. Correct.

22 Q. And Mr. Anderson had some concerns. He did not want his
23 wife to be charged in this case; correct?

24 A. I asked him if his wife knew about it 'cause I assumed
25 they shared the same bed.

~~AANONSEN - CROSS~~

1 Q. All right. But he had some concerns as well. He wanted
2 to accept responsibility for the gun. He didn't want his wife
3 to be charged.

4 A. He never expressed a concern that his wife was going to be
5 charged. We had no intention of arresting his wife.

6 Q. Now, there's also the word "apologize."

7 A. Yes.

8 Q. And there's the word "apologize" twice; correct?

9 A. Yes.

10 Q. Now, there was also discussion regarding his being
11 cooperative in the sense of cooperating with the process of
12 being interviewed; correct?

13 A. Correct.

14 Q. All right. And he was informed that if he cooperated with
15 this process, that then the prosecution would be informed.

16 A. That's correct.

17 Q. And that it could be in his benefit.

18 A. I never said that.

19 Q. Well, there was an understanding that, by the prosecution
20 knowing about his cooperating, that then there was a hope that
21 he might not be detained.

22 A. That's not accurate at all.

23 Q. Well, you do agree with me that there was discussion about
24 his cooperating.

25 A. I did say, You cooperated with us in the interview.

~~AANONSEN - CROSS~~

1 Q. Right. And, in fact, exactly, we heard that in the
2 interview; correct?

3 A. Yes.

4 Q. And that was after all of this had been written; correct?

5 A. Correct.

6 Q. In this -- in your vehicle; correct?

7 A. That's correct.

8 Q. Which we don't have a recording of what was said and what
9 was not said.

10 A. No.

11 Q. All right. And so, really, whatever transpired to get
12 Mr. Anderson to say, as you say, to write down these answers
13 completely occurred in the vehicle.

14 A. Yes.

15 Q. All right. And how long was Mr. Anderson in this ATF
16 vehicle?

17 A. Well, left his residence at rush-hour traffic from
18 Owings Mills and had to drive to downtown Baltimore City, so we
19 were in there for 45 minutes to an hour. We took a ride, got
20 to the parking garage. I let Mr. Anderson smoke a cigarette.
21 So it was at least over an hour.

22 Q. Okay. All right. And did you continue to speak with
23 him --

24 A. Sure. We --

25 Q. -- over this hour period while he was in the vehicle?

~~AANONSEN - CROSS~~

1 A. Yes. We talked about cars and stuff like that.

2 Q. All right. And once he was placed in the ATF building in
3 the interview room, he was then left in that room.

4 A. Yes.

5 Q. All right. And he stayed in that room for, what, about an
6 hour?

7 A. I mean, through the completion of the interview, yeah,
8 probably about an hour.

9 Q. All right. But prior to the interview actually beginning,
10 did he -- he was in that interview by himself.

11 A. Yes.

12 Q. While you all did other things; correct?

13 A. Correct.

14 Q. All right. And in preparation of the interview.

15 A. Well, there's --

16 Q. Well, other, whatever --

17 A. -- a bunch of other people.

18 Q. Okay. And so there was at least probably 20 minutes to
19 half an hour? Do you recall how much time he was in the
20 interview room by himself sitting?

21 A. Probably 20 minutes, a half an hour is a good estimate.

22 Q. All right. And then you came into the interview room, and
23 then the recording occurred.

24 A. Correct.

25 Q. All right. Now, no time when he was first interviewed in

~~AANONSEN - CROSS~~

1 that interview room were the Miranda warnings actually re-read
2 to him.

3 A. No. I just presented the form that he signed and said,
4 "These are your rights. You do understand them?"

5 And he said, "Yes."

6 Q. Right. So, again, my -- the answer to that is, No, they
7 were not re-read to him.

8 A. I did not verbalize them, no.

9 Q. Right. Okay.

10 At no time was -- he wasn't told prior to the interview
11 beginning that it was recorded, was he?

12 A. No.

13 Q. And you agree that you heard yourself telling him that
14 he's cooperating?

15 A. I said he was cooperating. I probably meant he was being
16 cooperative.

17 Q. And in the interview, Mr. Anderson did not give a lot of
18 specifics about the weapon, did he?

19 A. He said it was black. It was a 9-millimeter. He bought
20 it in Forest Park two months prior for \$400. It was under his
21 mattress.

22 Q. The question is a "yes" or "no." Did he -- I mean, I
23 guess you're going to answer: Yes, he did.

24 A. Pretty specific.

25 Q. That's what your answer is.

~~AANONSEN - CROSS~~

1 **A.** Pretty specific.

2 **Q.** All right. So he did not give you the make of the weapon,
3 did he?

4 **A.** He said he didn't know.

5 **Q.** All right. He did not give the serial number?

6 **A.** No.

7 **Q.** He did not know, really, whether it was loaded or not. He
8 kept saying, "I don't know."

9 **A.** No. He said he thought -- he was pretty sure it was
10 loaded.

11 **Q.** He said he was -- well --

12 **A.** He said, I'm pretty sure it's loaded.

13 **MS. AMATO:** Court's indulgence.

14 **BY MS. AMATO:**

15 **Q.** So you asked -- I will show you Government's Exhibit --

16 **MS. AMATO:** Court's indulgence.

17 (Counsel conferred.)

18 **BY MS. AMATO:**

19 **Q.** All right. Well, I will --

20 (Counsel conferred.)

21 **BY MS. AMATO:**

22 **Q.** All right. I'd like to show you what is marked as
23 Government's Exhibit INT-1-T.

24 **A.** Okay.

25 **Q.** (Handing.)

~~AANONSEN - CROSS~~

1 All right. And I'd like you to look at -- certainly you
2 can take a look at this.

3 Do you recognize what this is?

4 **A.** Yes. It's a transcript of a portion of the interview that
5 was video-recorded.

6 **Q.** Okay. And there's actually two places where you ask him
7 about whether or not the weapon had been loaded, and I'd like
8 you to look at both of those to yourself.

9 **A.** Sure.

10 **Q.** It's that portion, bottom of the -- bottom of the page
11 (indicating).

12 **A.** (Reviews document.)

13 **Q.** And then (indicating).

14 **A.** (Reviews document.)

15 Okay.

16 **Q.** So having reviewed that, would you not agree with me that
17 there was some uncertainty? And he used the words "I think,"
18 but he wasn't sure.

19 **A.** He said [reading]: I think it was loaded.

20 **Q.** Okay. All right. Now, did you -- you yourself did not do
21 anything after the interview to corroborate whether or not
22 he -- Mr. Anderson possessed that weapon.

23 **A.** He told me he bought it and it was his.

24 **Q.** Please listen to my question.

25 After the interview, okay, you yourself did not do

~~AANONSEN - CROSS~~

1 anything to corroborate that Mr. Anderson possessed the
2 weapon --

3 A. No.

4 Q. -- after the interview.

5 All right. So you did not interview his wife; correct?

6 A. That's correct.

7 Q. You did not interview the other adult woman in the house,
8 did you?

9 A. No.

10 Q. All right. You did not conduct any surveillance -- or
11 had -- this would actually be prior. No surveillance had been
12 conducted of that residence every day prior to the search of
13 the residence to see what adults were coming or going into the
14 residence?

15 A. There was surveillance conducted on it on the days leading
16 up to the search warrant where people were observed.

17 Q. Okay. And how many days were -- was there surveillance?

18 A. I wasn't a part of that surveillance team, but I know
19 surveillance was conducted.

20 Q. Okay. And you said there were people that were coming and
21 going?

22 A. Yes.

23 Q. Okay. Adults?

24 A. Adults.

25 Q. Okay. How many? Do you know how many?

~~AANONSEN - CROSS~~

1 **A.** I don't know.

2 **Q.** All right. And you certainly did not seek to have any
3 fingerprint tests be conducted on the gun.

4 **A.** Didn't have to. It would have been a waste of resources.

5 **Q.** My question, sir, is: You did not have the gun
6 fingerprinted.

7 **A.** I did not.

8 **Q.** You did not have the gun checked for any DNA.

9 **A.** I did not.

10 **Q.** As the case agent, you are aware as to what was recovered
11 from the residence.

12 **A.** That's correct.

13 **Q.** All right. And you -- there was discussion about
14 cell phone or cell phones, and you thought that there "were"
15 more than one cell phone that was recovered from the residence.

16 **A.** I re -- I believe I recall more than one, but --

17 **Q.** All right. I would like to show you what's been marked
18 already for identification yesterday . . .

19 (Counsel conferred.)

20 **MS. AMATO:** May I approach the witness?

21 **THE COURT:** Sure.

22 **BY MS. AMATO:**

23 **Q.** I would like to show you, if you can take a look at this,
24 see if you recognize this document (handing).

25 **A.** I do recognize it.

~~AANONSEN - CROSS~~

1 Q. Okay. And if you could take a look at the back of the
2 document and -- to see if it will refresh your recollection as
3 to how many cell phones were recovered from the residence.

4 A. This document reflects one white Apple iPhone.

5 Q. Okay. And this document reflects specifically what was
6 recovered from that residence.

7 A. Yes.

8 Q. So only one phone was recovered from the residence.

9 A. I believe that's correct.

10 Q. Well, I mean --

11 A. I know.

12 Q. -- that's what this document says.

13 A. I might be confused. The search warrant photo shows three
14 phones. I thought we -- they may have seized all three, but
15 the document reflects one phone.

16 Q. As the case agent, you've talked already about the
17 surveillance that was conducted in this case --

18 A. Correct.

19 Q. -- that there was surveillance conducted in a variety of
20 locations for a variety of different dates; correct?

21 A. Yes.

22 Q. And you yourself conducted surveillance.

23 A. I did.

24 Q. And at no time during any of the time that you conducted
25 surveillance did you see Mr. Anderson supply drugs to anyone.

~~AANONSEN - CROSS~~

1 **A.** I did not conduct surveillance on Mr. Anderson.

2 **Q.** Okay. So the answer would be "no."

3 **A.** No.

4 **Q.** And in terms of any -- as case agent, no other
5 law enforcement officer who did conduct surveillance of
6 Mr. Anderson observed him supplying drugs to anyone.

7 **A.** No.

8 **Q.** And as to the other officers that surveyed Mr. Anderson,
9 at no time did they observe Mr. Anderson in possession of any
10 drugs.

11 **A.** Not to my knowledge.

12 **Q.** And getting back to the search of Mr. Anderson's
13 residence, no drugs were recovered from the residence.

14 **A.** That's correct.

15 **Q.** No drug paraphernalia was recovered from the residence.

16 **A.** That's correct.

17 **Q.** No scales were recovered from the residence.

18 **A.** That's correct.

19 **Q.** No baggies were recovered from the residence.

20 **A.** Not to my knowledge.

21 **Q.** Okay. You were shown Government's Exhibits IC-129.

22 **MS. AMATO:** I'm going to unplug this, first.

23 (Audio was played but not reported.)

24 **BY MS. AMATO:**

25 **Q.** Okay. This was a video that was recovered from whose

~~AANONSEN - CROSS~~

1 cell phone or whose -- from where? Where did you recover this?

2 **A.** Dante Bailey's iCloud account.

3 **Q.** All right. And in terms of social media, there was no
4 social media in Mr. Anderson's name that was found anywhere;
5 correct?

6 **A.** That's correct.

7 **Q.** All right. Okay. And so any of the videos or photographs
8 that we've seen of Mr. Anderson were from other people's iCloud
9 accounts or other social media associated with other
10 individuals; correct?

11 **A.** That's correct.

12 **Q.** All right. And this particular snippet, this little
13 video, you have absolutely no information besides what you're
14 viewing on the screen; correct?

15 **A.** That's correct.

16 **Q.** All right. You don't know who Mr. Anderson was with.

17 **A.** No.

18 **Q.** You don't know what he was doing in wherever he was. You
19 said it was Vegas, but you don't know what he was doing there;
20 correct?

21 **A.** Driving a car.

22 **Q.** Driving a car. All right.

23 Besides driving a car, you don't know what the purpose of
24 his trip was there, do you?

25 **A.** No.

~~AANONSEN - CROSS~~

1 Q. All right. And I'd like to show you --

2 MS. AMATO: Court's indulgence.

3 (Counsel conferred.)

4 MS. AMATO: So, Your Honor, I'm going to introduce
5 Defense Exhibit 13.

6 THE CLERK: Yes.

7 MS. AMATO: Defense Exhibit 13.

8 (Video was played but not reported.)

9 MS. AMATO: Whoops.

10 BY MS. AMATO:

11 Q. And, of course, you've seen this video before.

12 A. Yes.

13 Q. This, again, was recovered the same way the other video
14 was recovered.

15 A. That's correct.

16 Q. All right. And you don't know who this Bobby individual
17 is, do you?

18 A. He's, I guess, a passenger in that car.

19 Q. Okay. Nor do you know who the other individual is.

20 A. No.

21 Q. Okay. Neither of them have come up in any form or fashion
22 in this investigation besides showing up in this video.

23 A. That's correct.

24 MS. AMATO: All right. Court's indulgence.

25 (The defendant conferred with counsel.)

~~AARONSEN - CROSS~~

1 BY MS. AMATO:

2 Q. One more area.

3 So as case agent, you also are aware that Mr. Anderson's
4 business was searched.

5 A. Yes.

6 Q. All right. And you're aware that at that business, again,
7 there were no drugs that were recovered?

8 A. That's correct.

9 Q. No drug paraphernalia.

10 A. Nope.

11 Q. No scales for -- of the kind that has been testified to
12 regarding -- well, scales, small scales, no small scales;
13 correct?

14 A. No small scales.

15 Q. All right. No small -- no kind of drug paraphernalia
16 whatsoever was recovered.

17 A. Not to my knowledge, no.

18 Q. And, in fact, in that business, there were financial
19 documents that were recovered.

20 A. Yes.

21 Q. And there were books with tallies of receipts; correct?

22 A. Yeah. There was like a receipt book.

23 Q. And there was also, of course, equipment and tools.

24 A. I -- maybe if you show me the search warrant photos again,
25 but I wasn't present for it.

~~AANONSEN - REDIRECT~~

1 Q. Okay. That's fine.

2 MS. AMATO: That's fine.

3 Thank you, Your Honor. I have nothing further.

4 THE COURT: Thank you very much.

5 Mr. Hazlehurst?

6 MR. HAZLEHURST: No questions, Your Honor.

7 Thank you.

8 THE COURT: All right. Would there be any redirect?

9 MS. HOFFMAN: Just very briefly.

10 REDIRECT EXAMINATION

11 BY MS. HOFFMAN:

12 Q. Agent Aanonsen, you were asked by Mr. Sardelli, counsel
13 for Randy Banks, whether you canvassed the area of Gwynn Oak
14 and Liberty Heights.

15 Do you remember that?

16 A. I do.

17 Q. And what does that mean, to canvass an area? What does
18 that mean to you?

19 A. To me that would be going around to the businesses there
20 and speaking to the operators of the businesses. As part of
21 this investigation, I personally did not go and canvass the
22 area.

23 But in events connected to this investigation,
24 Baltimore City Police "has" canvassed the area and spoken to
25 owners about relative incidents that have occurred.

~~AANONSEN - REDIRECT~~

1 Q. And have you yourself spent time in the area of Gwynn Oak
2 and Liberty Heights?

3 A. Yes.

4 Q. Have you done surveillance in that area?

5 A. Yes.

6 Q. And over the course of your investigation -- and without
7 telling us anything about what they may have said -- have you
8 interviewed people who have lived or operated in that area?

9 A. Yes.

10 Q. You were asked some questions about phones that may have
11 been found or recovered at Mr. Anderson's residence at
12 38 Windbluff Court?

13 A. That's correct.

14 Q. And I believe you mentioned that there was a
15 search warrant photo showing three cell phones; is that right?

16 A. That's correct.

17 Q. And was data extracted from all of those cell phones?

18 A. Not from all of them.

19 MS. HOFFMAN: I have no further questions.

20 Thank you.

21 THE COURT: Okay. Thank you very much. You can step
22 down.

23 THE WITNESS: Thank you, Your Honor.

24 MS. HOFFMAN: The Government calls Tim Moore.

25 SPECIAL AGENT TIMOTHY MOORE, GOVERNMENT'S WITNESS,

~~MOORE~~ - ~~DIRECT~~

1 PREVIOUSLY SWORN.

2 **THE CLERK:** Agent Moore, you're still under oath.

3 **THE WITNESS:** Yes, ma'am.

4 DIRECT EXAMINATION

5 **BY MS. HOFFMAN:**

6 **Q.** Good afternoon, Agent Moore.

7 **A.** Hi, ma'am.

8 **Q.** I believe you testified previously that you are one of the
9 case agents on the investigation into Murdaland Mafia Piru?

10 **A.** Yes, that's correct.

11 **Q.** Did your investigation involve controlled purchases of
12 drugs from some of the subjects of the investigation?

13 **A.** Yes, it did.

14 **Q.** And can you just remind us very briefly what a
15 controlled purchase is.

16 **A.** It's either using a confidential informant or an
17 undercover officer. The person is -- if it's an informant,
18 they're searched prior to the deal, make sure they don't have
19 any drugs or their own money, anything like that.

20 They're provided with our own ATF funds, recording
21 equipment of one nature or the other, either audio or video or
22 both; sometimes given, you know, something in the car if it
23 needs to be recorded; and then they're sent off to make the
24 controlled purchase from the target.

25 **Q.** And directing your attention to March 10th of 2016, did

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1 members of your investigative team conduct a
2 controlled purchase of drugs from Jamal Lockley on that day?

3 **A.** Yes, we did.

4 **Q.** And who -- can you remind us who law enforcement used to
5 conduct the purchase of drugs from Mr. Lockley.

6 **A.** It was William Banks and another informant, another ATF
7 informant.

8 **Q.** And did you actually surveil the controlled purchase?

9 **A.** At times, yes; but at the time of the actual hand-off of
10 the drugs, I did not.

11 **Q.** Did you receive drug evidence from -- did you receive drug
12 evidence following that controlled purchase?

13 **A.** Yes.

14 **Q.** And I'm going to approach and show you
15 Government's Exhibit D-14.

16 (Hanging.)

17 And do you recognize that exhibit?

18 **A.** Yep. Those are the drugs.

19 **Q.** And I'm sorry. Which drugs?

20 **A.** The drugs that were purchased from Jamal Lockley.

21 **Q.** And was that drug evidence submitted to the BPD laboratory
22 for testing?

23 **A.** Yes, it was.

24 **Q.** I want to shift gears and ask you about the arrest of
25 Shakeen Davis on February 24th of 2017.

~~MOORE - DIRECT~~

1 A. Yes, ma'am.

2 Q. Were cell phones recovered from Mr. Davis when he was
3 arrested?

4 A. Yes.

5 Q. And were those cell phones searched pursuant to a warrant?

6 A. Yes, they were.

7 Q. I'm going to show you Government's Exhibit CELL-3-A, which
8 has been identified as excerpts from the certified extraction
9 report for a cell phone, CELL-3, identified as one recovered
10 from Shakeen Davis on that day.

11 And would you mind telling us, first of all, was there
12 evidence in the phone as to who might be using it?

13 A. Yes, there was.

14 Q. And do you see evidence on this page? Can you give us an
15 overview.

16 A. You've got a -- there you go.

17 Yeah. The -- the e-mail address, dinero4800@gmail, and
18 then shadavis.designer@gmail and then creams.dinero at the
19 iCloud account.

20 Q. And were Creams and Dinero aliases of Mr. Davis --

21 A. Yes, they were.

22 Q. -- or nicknames?

23 And then do you see that there are some text messages on
24 the first page that say "Shykeen"?

25 A. Yes.

~~MOORE - DIRECT~~

1 Q. And there's a reference to an IG @fh_dinero?

2 A. Yes, ma'am.

3 Q. And then do you see there's a text to the phone that says
4 [reading]: Creams?

5 A. Yes.

6 Q. I'll scroll to the next page here.

7 Do you see that there -- would you mind reading this
8 text message from the phone.

9 A. Yep. It says [reading]: Got testers today, the white.
10 Everyone saying it's hands down 9 to 10.

11 Q. Do you see there's another text message from the phone,
12 February 2nd of 2017 [reading]: Got testers today?

13 A. Yes.

14 Q. And then I'm just going to highlight a few of these for
15 you from the phone.

16 Would you mind reading this one for us.

17 A. Sure. An incoming to the phone at Line 1553 is [reading]:
18 Yo, that stuff last night was just as bad if not worst. Let me
19 know if you get that rocky, white shite back.

20 The next one is outgoing to that number from the device,
21 and it says [reading]: Got it now. It's put people out,
22 though.

23 And then the last one is incoming from the number to the
24 device.

25 [Reading]: Those people are stupid. I've been doing this

~~MOORE - DIRECT~~

1 shit for six years and never gone out, not once. Some people
2 are just dumb and gotta push everything to the limit. Hold on
3 to 1.5 for me. I'll be down around 4, probably.

4 Q. Scrolling to Page 3, do you see how there's a message to
5 the phone that says [reading]: Can you do 2 g for 180?

6 A. Yes.

7 Q. And a message from the phone that says [reading]: Yeah.

8 A. Yes.

9 Q. And do you see there's a message to the phone here

10 [reading]: How is your boy?

11 A. Yes.

12 Q. And can you remind us what in the context of drug
13 trafficking you have learned "boy" means.

14 A. "Boy" is heroin.

15 Q. Next page, Page 4, do you see there's another message

16 [reading]: Can you do two for 180?

17 And a reply [reading]: Yeah, I got you.

18 A. Yes, ma'am.

19 Q. Scrolling to the next page, do you see there's a text to
20 the phone [reading]: Can I come get a half for 40?

21 And then a reply [reading]: Okay.

22 A. Yes.

23 Q. And scrolling to the next page, Page 6 of this exhibit, do
24 you see that there's a whole series of messages from the phone
25 here on February 23rd of 2017?

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1 **A.** Yes, ma'am.

2 **Q.** And can you read those for us.

3 **A.** Sure. The first two are the same. They are [reading]:

4 Back. Good with boy and girl.

5 The next is [reading]: Come see me.

6 And then the next three are again [reading]: Back. Good

7 with boy and girl.

8 The last is a forward and says [reading]: Back. Good

9 with boy and girl.

10 **Q.** And then scrolling to Page 7 -- and what was -- sorry.

11 What was the date? Maybe you already said that, the date of

12 those texts?

13 **A.** The last ones I just read were February 23rd, 2017.

14 **Q.** On Page 7, do you see the section labeled "Selected MMS
15 Messages"?

16 **A.** Yes.

17 **Q.** And I'm just going to zoom in on this one.

18 I see the one to Sq on February 16th of 2017.

19 **A.** Yes.

20 **Q.** Can you just read the first two lines or so of that.

21 **A.** Sure. It says [reading]: I need a logo. Can you put

22 Forever About Money by the top -- with the letters FAM

23 capitalized -- and a AR-15 gun on the side, on the bag, or

24 behind the bag, either or -- I'm sorry.

25 [Reading]: Behind the bag either or I need slick logo for

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1 sweatsuit I'm getting stitched.

2 **Q.** And then zoom in on this photo here. Do you recognize any
3 of the people in that photo?

4 **A.** That's Shakeen Davis in the back, the background.

5 **Q.** Scrolling to the next page, do you see there's another MMS
6 to Sq? And what does it show there in the content?

7 **A.** That's an assault rifle.

8 **Q.** And do you see the section here labeled "Selected Web
9 Searches Searched Terms"?

10 **A.** Yes.

11 **Q.** And can you read those searched terms.

12 **A.** Sure. The first -- the top one is on the 23rd of February
13 of 2017, and the search term is [reading]: 24 indicted in
14 Baltimore.

15 The second one is February 5th of 2017, and that is
16 [reading]: 45 Desert Eagle.

17 **Q.** And then see the section labeled "Selected Images"?

18 **A.** Yes.

19 **Q.** And who's in that image?

20 **A.** That's Shakeen Davis.

21 **Q.** Turning to the next page, can you tell us who's in these
22 images here.

23 **A.** Those are also Shakeen Davis.

24 **Q.** And then I'm going to skip ahead to Page 14, and I'm going
25 to zoom in here.

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1 And just --

2 **MR. HAZLEHURST:** Your Honor, may we approach?

3 **THE COURT:** Take that off the screen, please.

4 **MS. HOFFMAN:** Sure.

5 **MR. HAZLEHURST:** May we approach?

6 **THE COURT:** Sure.

7 (Bench conference on the record:

8 **THE COURT:** Okay. And I suggested that we circulate
9 it and then read it, because what went up on the screen was
10 more than was agreed to. It came off, but I'm going to tell
11 the jury to disregard it.

12 **MS. HOFFMAN:** Okay. I apologize.

13 **THE COURT:** You need not to put it on the screen.

14 **MS. HOFFMAN:** Sure.

15 **MR. HAZLEHURST:** Your Honor, if the Government wants
16 to literally take a piece of paper and approach the witness, I
17 would suggest that.

18 **THE COURT:** That's what I'm suggesting. Strictly what
19 you want him to read on a piece of paper. If you need another
20 one that's more readable or something, that's fine. But just
21 ask him to read what's --

22 **MS. HOFFMAN:** Sure. I apologize.

23 **MR. HAZLEHURST:** So I note the objection, but I also
24 ask the Court to advise the jury.

25 **THE COURT:** I will.)

~~MOORE - DIRECT~~

(Bench conference concluded.)

THE COURT: Okay. Ladies and gentlemen, just ignore what was just on the screen. We're going to do this in another way.

BY MS. HOFFMAN:

Q. Agent Aanonsen [sic], I'm going to approach and ask you to read something . . .

(Handing.)

Would you mind reading just what's circled, the text that's circled there.

A. Sure. It says [reading]: I'm on the run from the feds and still got warrants in the state.

Q. I'm going to approach.

A. (Handing.)

Q. And, again, could you just read what's circled on that page.

A. Sure. It says [reading]: Federal indictment. I'm on the run.

Q. As part of your role as case agent, did you obtain certified conviction records for Shakeen Davis?

A. Yes, I did.

Q. And I'm going to switch over to the ELMO.

Can you tell us what we're looking at here.

A. That is a certified document from District Court up in Wabash. It's the Wabash Avenue courthouse.

~~MOORE~~ - ~~DIRECT~~

1 Q. Is that the District Court of Maryland?

2 A. Yes.

3 Q. And do you see down below there's a signature of the Clerk
4 of Court?

5 A. Yes.

6 Q. And I'm going to show you Page 4 of that document.

7 THE CLERK: I'm sorry. What was the exhibit number?

8 MS. HOFFMAN: I'm sorry. This is CR-2.

9 And actually, let me put Page 1 back up there.

10 BY MS. HOFFMAN:

11 Q. And can you just read for the record the name here
12 (indicating).

13 A. Yep. It's Davis, comma, Shakeen.

14 Q. And the case number?

15 A. 3; B, as in boy; 02191227.

16 Q. And then I'm going to show you Page 4.

17 And could you read the case number again for us
18 (indicating).

19 A. Yep. It's 3; B, as in boy; 02191227.

20 Q. And can you read the name here (indicating).

21 A. The name is Davis, comma, Shakeen.

22 Q. And the date of birth?

23 A. Sure, the date of birth year is 1994 and then it's [REDACTED] --
24 [REDACTED] of 1994.

25 Q. And can you read -- hang on here, the SID number here

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1 (indicating).

2 A. Yep. It's 0003577767.

3 Q. And then do you see over here where it says "charge"?

4 A. Yep.

5 Q. Can you read that charge.

6 A. Sure. It's [reading]: Handgun on person.

7 Q. And then where it says disp, can you read that.

8 A. Yep. That's "G" for guilty.

9 Q. And the date there (indicating)?

10 A. That's December -- I'm sorry.

11 It's November 1st of 2012.

12 Q. Agent Moore, did you also obtain a certified copy of the
13 arrest photo and fingerprints pertaining to this conviction?

14 A. Yes, I did.

15 Q. And I'm going to show you Government's Exhibit CR-3.

16 And can you tell us what we're looking at here.

17 A. That's the certified arrest photo for Shakeen Davis.

18 Q. And just for the record, can you read the name, CID, and
19 date of birth.

20 A. Sure, the name is Davis, comma Shakeen. The CID is
21 3577767. The date of birth is [REDACTED] 1994.

22 Q. And is that the same date of birth and CID that we saw on
23 the certified conviction record?

24 A. It sure is.

25 THE COURT: Ladies and gentlemen, let me remind you --

1 I think we had this issue earlier.

2 One of the charges against Mr. Davis that you'll be
3 asked to return a verdict on, I believe it's Count 30, it's a
4 charge that he unlawfully possessed a firearm on a certain
5 date, I believe February 24th of 2017.

6 One of the things that the Government has to prove in
7 order to prove that charge is that at some point prior to
8 February 24th of 2017, Mr. Davis had been convicted of a crime
9 punishable of more than a year in prison. That is the purpose
10 for which the Government introduced this evidence, and you may
11 not consider it for any other purpose. It's only as it goes to
12 prove that one element out of the several elements that the
13 Government will have to prove on that charge.

14 **MS. HOFFMAN:** And, Your Honor, may we actually
15 approach just briefly on that?

16 **THE COURT:** Sure.

17 (Bench conference on the record:

18 **THE COURT:** Did I misspeak?

19 **MS. HOFFMAN:** No, you didn't. But there are two
20 counts in which he's charged with being a felon in possession.

21 **THE COURT:** Oh.

22 **MS. HOFFMAN:** So one is the one that you just
23 mentioned, Count 30. And then the other one is . . .

24 **THE COURT:** Oh, Count 16.

25 **MS. HOFFMAN:** Count 16.

1 **THE COURT:** I'm sorry.

2 **MS. HOFFMAN:** Then the only other thing is I think we
3 both -- are we in agreement that it is punishable by more than
4 one year, the handgun on person?

5 **MR. HAZLEHURST:** Yes.

6 **MS. HOFFMAN:** And could we -- I can't recall if
7 Your Honor said that, but --

8 **MR. HAZLEHURST:** I think you did. You said -- you did
9 say "punishment by imprisonment of one year."

10 **THE COURT:** I don't think I actually said it. I said
11 that that was part of what had to be proved, and this evidence
12 could be considered for that.

13 But I will clarify that the handgun conviction does
14 carry the possibility of punishment of more than one year and
15 that I mentioned Count 30, that there is also another count of
16 unlawful possession of a firearm. That is Count 16. Same
17 instruction applies.

18 **MR. HAZLEHURST:** That's fine, Your Honor.

19 **MS. HOFFMAN:** Thank you.)

20 (Bench conference concluded.)

21 **THE COURT:** Okay. Thank you.

22 Just to clarify, two things: I mentioned Count 30.
23 There is also a Count 16 that includes a charge against
24 Mr. Davis of unlawful possession of a firearm, so the same
25 instruction that I just gave you would apply to your

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1 consideration of the evidence as to Count 16.

2 And just to be clear if it wasn't, we are in agreement
3 and I am instructing you that the particular charge, handgun on
4 a person, does carry a possible punishment of more than one
5 year. So it does fit that part of that element.

6 **MS. HOFFMAN:** Thank you.

7 **BY MS. HOFFMAN:**

8 **Q.** Agent Moore, I want to shift gears again.

9 I believe you testified previously that the investigation
10 involved wiretaps on phones belonging to Adrian Jamal Spence in
11 the summer of 2015 and then wiretaps on phones belonging to
12 Dwight Jenkins, Jacob Bowling, and Jamal Lockley in summer of
13 2016; is that right?

14 **A.** Yes.

15 **Q.** And did you intercept any wire calls in which Randy Banks
16 participated?

17 **A.** Yes.

18 **Q.** I'm going to play you a call from Government's Exhibit
19 Wire B, which has been identified as a disc of wire calls
20 intercepted over Adrian Jamal Spence's phone in summer 2015.
21 This is going to be B-4104, which is on Page 317.

22 And can you tell us the date and time of this call.

23 **A.** Can you switch back. There you go.

24 **Q.** Sorry.

25 **A.** The date is July 28th, 2015. The time is about 11:30 in

~~MOORE~~ - ~~DIRECT~~

1 the morning -- 11:50. Excuse me.

2 Q. Did you --

3 A. 7/25/2015. Excuse me.

4 (Audio was played but not reported.)

5 BY MS. HOFFMAN:

6 Q. Agent Moore, did you recognize the voices of any of the
7 participants in that call?

8 A. Yes.

9 Q. Who was it?

10 A. Randy Banks and Adrian Spence.

11 Q. And did you hear the reference to Fat Ass by Mr. Banks?

12 A. Yes.

13 Q. And was there a subject of your investigation who was
14 sometimes referred to as Fat Ass?

15 A. Yes, ma'am.

16 Q. Who was that?

17 A. That's Dante Bailey.

18 Q. And did you hear the reference to Fish by Mr. Banks?

19 A. Yes.

20 Q. And was there a subject of your investigation who went by
21 Fish?

22 A. Yes. That's Dominick Kane.

23 Q. I'm showing you Government's Exhibit IND-56.

24 Who is that?

25 A. That's Dominick Kane.

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1 Q. Did you intercept any other wire calls involving
2 Randy Banks?

3 A. No, not to my knowledge.

4 Q. Was that surprising to you?

5 A. No, not at all.

6 Q. And why not?

7 A. Based on the jail calls that we had -- that I had
8 reviewed, it appears that Mr. Banks would only come out in the
9 evening. He would frequently change his phones up. And he was
10 very careful about his -- his dealings and his methods of
11 movement.

12 So we -- we never would have actually known that we were
13 catching him on the wire. Not to mention the fact that we
14 only -- our ATF wiretap and the county wiretap only listened to
15 phones that were based out of the 5200 Windsor Mill area and
16 not the Gwynn Oak/Liberty area.

17 Q. So I'm going to play you some calls from Government's
18 Exhibit JAIL-1, which has been identified as a disc of
19 certified jail recordings.

20 I'm going to start with Call J-44, and this is on Page 144
21 of the jail call tab.

22 And can you tell us the date of this call.

23 A. Sure. It's April 5th, 2016.

24 Q. And I'm going to start it actually at 23 minutes and
25 40 seconds, which will be on Page 46, so if you flip ahead two

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1 pages.

2 And it's going to start with "This 'N' word Dirt" about
3 halfway down the page.

4 (Audio was played but not reported.)

5 **BY MS. HOFFMAN:**

6 **Q.** I'm going to pause it there.

7 And did you recognize the voice of the person who was
8 called in this call?

9 **A.** Yes. That was Ayinde Deleon.

10 **Q.** And what were his nicknames?

11 **A.** Yin or Murda.

12 **Q.** And did you hear when the -- whose account was the call
13 made from?

14 **A.** It was Mark Brown.

15 **Q.** Did you hear when Mr. Brown said [reading]: This "N" word
16 Dirt, he ain't never got no fuckin' phone?

17 **A.** Yes, ma'am.

18 **Q.** And did you hear when Mr. Brown said [reading]: He keeps
19 turning his fucking phone off every fucking two weeks?

20 **A.** Yes, ma'am.

21 **Q.** And did you hear Mr. Deleon at the end of the call say
22 [reading]: It must be working, though. He ain't got no
23 trouble yet, that no phone shit?

24 **A.** Yes.

25 **Q.** I'm going to play a short clip of another jail call, and

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1 this one's going to be J-32 on Page 103 of the jail call tab.

2 And can you tell us the date of this call.

3 **A.** Sure. It's August 30th, 2015.

4 **Q.** And I'm going to play a clip from 9 minutes and
5 27 seconds, which is on the next page of that transcript.

6 (Audio was played but not reported.)

7 **BY MS. HOFFMAN:**

8 **Q.** I'm going to stop it there.

9 And who's the inmate who's making this call?

10 **A.** It's Dominick Wedlock.

11 **Q.** And who is he talking to in this portion of the call, or
12 who do you believe him to be talking to?

13 **A.** That portion was Maurice Braham.

14 **Q.** And what's his nickname?

15 **A.** Mookie.

16 **Q.** And did you hear when Mr. Braham said [reading]: He keeps
17 switching his numbers. He keeps switching his numbers, yo?

18 **A.** Yes, ma'am.

19 **Q.** I'm going to play another short clip from this call. This
20 is going to be at 20 minutes and 56 seconds, which should be on
21 the next page of the transcript.

22 (Audio was played but not reported.)

23 **BY MS. HOFFMAN:**

24 **Q.** I'm going to pause it there.

25 And can you tell us who -- did you recognize the voices of

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1 the people talking in that portion of the call?

2 A. Yes.

3 Q. And who was it?

4 A. It's Melvin Lashley and Dominick Wedlock.

5 Q. Can you remind us their nicknames.

6 A. Yes. Melvin Lashley was Menace, and Dominick Wedlock was
7 Nick or Rage.

8 Q. And did you hear when Mr. Lashley said -- mentioned
9 Black Face and Bino?

10 A. Yes.

11 Q. And was there a subject of your investigation who went by
12 Bino?

13 A. Yes.

14 Q. Who was that?

15 A. That's Dontray Johnson.

16 Q. Did you say -- did you hear when Mr. Lashley said that
17 "N" words whooped Dorian up here and also he burnt T-Roy's sale
18 for \$150?

19 A. Yes.

20 Q. Was there a subject of your investigation who went by
21 T-Roy?

22 A. Yes.

23 Q. And who was that?

24 A. That's Jamal Lockley.

25 Q. Did you listen to any jail calls in which subjects of the

~~MOORE - DIRECT~~

1 investigation who were incarcerated discussed payment of money
2 by --

3 **A.** Yes.

4 **Q.** -- Randy Banks?

5 **A.** Yes.

6 **Q.** And I'm going to play you a couple short clips. First,
7 J-9. This is on Page 39 of the transcript binder.

8 And can you tell us the date of this call.

9 **A.** It's October 24th, 2014.

10 **Q.** I'm going to play a short clip starting at 1 minute and
11 47 seconds.

12 (Audio was played but not reported.)

13 **BY MS. HOFFMAN:**

14 **Q.** Did you recognize the voices of the people speaking in
15 that portion of the call?

16 **A.** Yes. It was Dominick Wedlock and Devon Dent.

17 **Q.** And did you hear Mr. Wedlock say [reading]: Me and Dirt
18 got some cash for you?

19 **A.** Yes.

20 **Q.** And did you hear the reference to SP?

21 **A.** Yes.

22 **Q.** And can you remind us, was there a subject of your
23 investigation who went by SP?

24 **A.** It's Adrian Spence.

25 **Q.** I'm going to play a short clip from J-11. This is on

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Page 41.

Can you tell us the date of this call.

A. It's October 28th, 2014.

Q. And I'm going to play a short clip starting at six minutes and 55 seconds.

(Audio was played but not reported.)

BY MS. HOFFMAN:

Q. Did you recognize the voices of the participants in that call?

A. Yep. That's Devon Dent and Dominick Wedlock again.

Q. And did you hear when Mr. Dent said [reading]: Butch and Dirt, though, is the two who always do shit for me. They the ones who pay my lawyer and all that shit?

A. Yes, ma'am.

Q. I'm going to play a clip from J-39, and this is on Page 137. I'm going to play the clip starting at 3 minutes and 1 second.

(Audio was played but not reported.)

BY MS. HOFFMAN:

Q. Did you recognize the voices of the participants in that call?

A. Yes. It was Devon Dent and Maurice Braham.

Q. And did you hear Mr. Dent say -- or did you hear Mr. Braham say [reading]: Dirt was just up here?

A. Yes.

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1 Q. And did you hear Mr. Dent say [reading]: Tell him I said
2 I need that money order?

3 A. Yes, ma'am.

4 Q. And what was the date of this call?

5 A. That was December 4th, 2015.

6 Q. Did you listen to any other jail calls discussing the
7 collection of money for incarcerated subjects of the
8 investigation?

9 A. Yes.

10 Q. I'm going to play you a clip from J-25, and this is on
11 Page 89 of the jail call tab.

12 And can you tell us the date of this call.

13 A. It's August 6th, 2015.

14 Q. And I'm going to play a clip starting at 2 minutes.

15 (Audio was played but not reported.)

16 BY MS. HOFFMAN:

17 Q. I'm going to pause it there.

18 And do you recognize the voices of the participants in
19 this call?

20 A. Yes. It's William Jones and Melvin Lashley.

21 Q. And I'm just going to -- well, did you hear when Mr. Jones
22 said [reading]: I could use some money for me or I'ma smack
23 his ass?

24 A. Yes.

25 Q. Did you hear Mr. Lashley say [reading]: Whoever ain't got

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1 no money for "N" words is getting rolled out?

2 **A.** Yes.

3 **Q.** And I'm just going to skip ahead and play from 4:05 to
4 4:27.

5 (Audio was played but not reported.)

6 **BY MS. HOFFMAN:**

7 **Q.** And did you hear the mention of Creams there?

8 **A.** Yes.

9 **Q.** And was there a subject of your investigation who went by
10 Creams?

11 **A.** That's Shakeen Davis.

12 **Q.** And I'm going to skip ahead and play another very short
13 clip.

14 (Audio was played but not reported.)

15 **BY MS. HOFFMAN:**

16 **Q.** Did you hear Mr. Lashley say [reading]: I got like
17 50 lolos and I'm going to sell these 50?

18 There's an inaudible and then [reading]: I got you, son,
19 I swear to God, man.

20 **A.** Yes.

21 **Q.** I'm going to play another clip of a call. This is J-28,
22 and it's on Page 95.

23 Can you tell us the date of this call.

24 **A.** That's August 14th, 2015.

25 **Q.** I'm going to play a clip starting at 7 minutes and

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1 50 seconds.

2 (Audio was played but not reported.)

3 **BY MS. HOFFMAN:**

4 **Q.** Did you recognize the voices of the participants in this
5 call?

6 **A.** Yes. That's William Jones and Melvin Lashley.

7 **Q.** And who's the inmate who's making the call?

8 **A.** William Jones.

9 **Q.** And did you hear the reference to Nizzy?

10 **A.** Yes.

11 **Q.** And can you remind us, was there a subject of your
12 investigation who went by Nizzy?

13 **A.** That's Davon Temple.

14 **Q.** And did you hear Mr. Jones say [reading]: They really
15 respect the mob?

16 **A.** Yes.

17 **Q.** And did you hear him say [reading]: The first thing they
18 say is, What's that big "N" word name with the tattoos? Yo,
19 Gutta, like, "N" words really scared of yo?

20 **A.** Yes, ma'am.

21 **Q.** In listening to jail calls in this case, did you come
22 across any evidence of subjects of the investigation smuggling
23 drugs into the jail?

24 **A.** Yes.

25 **Q.** I'm going to play you -- I've just got a couple more clips

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1 here. This one's J-46, and it's on Page 150.

2 Can you tell us the date of this call.

3 **A.** That's April 13th, 2016.

4 **Q.** I'm going to play from 2 minutes and 42 seconds.

5 (Audio was played but not reported.)

6 **BY MS. HOFFMAN:**

7 **Q.** Do you recognize the voices of the participants in this
8 call?

9 **A.** Yep. It's Davon Temple and Ayinde Deleon.

10 **Q.** And in your experience in investigating drug-trafficking
11 organizations, have you learned what the term "orange joints"
12 means in the context of drug trafficking?

13 **A.** Yes.

14 **Q.** And what is that?

15 **A.** It's slang for Suboxone or Suboxone strips.

16 **Q.** And I'm going to play another short clip from 9 minutes
17 and 13 seconds, which is two pages later in the transcript.

18 (Audio was played but not reported.)

19 **BY MS. HOFFMAN:**

20 **Q.** Do you recognize the voices here?

21 **A.** Yep. That's Davon Temple and Ayinde Deleon.

22 **Q.** And did you hear -- did you testify a minute ago that
23 Davon Temple went by Nizzy?

24 **A.** Yes.

25 **Q.** Did you hear when Nizzy said [reading]: If the higher

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1 motherfuckers that's over me tell me, Bop, bop, bop, yeah, you
2 feel me, that's my obligation. I know what I signed up for?

3 **A.** Yes.

4 **Q.** In listening to jail calls, did you come across any
5 evidence that subjects of the investigation stashed guns around
6 the 5200 block of Windsor Mill Road?

7 **A.** Yes.

8 **Q.** I'm going to play you a short clip from J-6, and this is
9 the last one. This is on Page 19.

10 And this is -- I'm going to play the -- can you tell us
11 the date of the call, first of all?

12 **A.** It's August 28th, 2014.

13 **Q.** I'm going to play a clip starting from 2 minutes and
14 38 seconds, which is actually on the next page of the
15 transcript. It will start with -- it will start with, "But,
16 you know, he know."

17 (Audio was played but not reported.)

18 **BY MS. HOFFMAN:**

19 **Q.** Do you recognize the voices of the participants in this
20 call?

21 **A.** Yep. That's Sydni Frazier and Shakeen Davis.

22 **Q.** And did you hear Mr. Davis say [reading]: The knockers
23 walkin' through the woods?

24 **A.** Yes.

25 **Q.** Did you hear Mr. Davis say [reading]: And I put two of

~~MOORE - DIRECT~~

1 them bitches up there. I can't even go up there and get my
2 shit 'cause I don't know if they still over there?

3 **A.** Yes, ma'am.

4 **Q.** Agent Moore, as part of your role as case agent in the
5 MMP -- as one of the case agents in the MMP investigation, have
6 you been involved in investigating certain murders?

7 **A.** Yes, I have.

8 **Q.** And is one of those murders the murder of James Edwards,
9 also known as Bangout?

10 **A.** Yes.

11 **Q.** And I'm going to pull up, first, what's already come into
12 evidence. This is CSLI-1, and Page 19 of that exhibit.

13 And do you recognize what we're looking at here?

14 **A.** Yes. That's a map plotting 310 Collins, the little red
15 dot down below. 3901 Princely Way is the green dot up top,
16 left corner. And then those two sort of triangulated things
17 are cell towers.

18 **Q.** And can you remind us when and where the Bangout murder
19 occurred.

20 **A.** It was February 12th at about 12:59 in the morning, in
21 between 310 and 312 Collins Avenue.

22 **Q.** Is that February 12th of 2015?

23 **A.** Yeah. Sorry.

24 **Q.** And I think you said the 300 block of Collins Avenue is
25 indicated by the red flag down here?

1 A. Yes.

2 Q. And then do you see the cell phone number at the top right
3 here --

4 A. Yep.

5 Q. -- (443) 415-9975?

6 And can you remind us, did you learn who that cell phone
7 was used by?

8 A. It was used by Dante Bailey.

9 Q. And then do you see that there's a cell site plot for that
10 9975 phone over here where the mouse is in the Woodbury area of
11 Baltimore at 12:23 a.m. on February 12th of 2015?

12 A. Yes, ma'am.

13 Q. As part of your role as case agent, have you had a chance
14 to test-drive the distance from that cell sector to the murder
15 scene in the 300 block of Collins Avenue to see how long it
16 takes?

17 A. Yes, I have.

18 Q. And can you tell us where you started your test drive.

19 A. I started at the Baltimore Police Department's Northern
20 District station. It's at 2201 West Cold Spring.

21 Q. And can you point on the map -- it should come up on the
22 screen -- approximately where that is.

23 A. Sure. It's going to be right there-ish (indicating).

24 Q. Okay. And why did you start there?

25 A. It was one of the more northern points for that -- that

~~MOORE - DIRECT~~

1 cell tower, and I wanted to be very conservative with my
2 estimate. And it was also a place where I could get on and off
3 the road pretty easily.

4 Q. And where did you drive to?

5 A. My ultimate destination was just outside of
6 310 Collins Avenue.

7 Q. And can you tell us how long it took you.

8 A. If I could refresh my memory briefly.

9 Q. Did you write a report of your findings?

10 A. I did.

11 Q. I'm going to approach.

12 (Hanging.)

13 And take your time looking that over.

14 A. Okay.

15 Q. How long did it take you to drive from that northern part
16 of the cell sector to 310 Collins Avenue?

17 A. It was approximately 18 minutes and 35 seconds.

18 Q. And how fast did you drive?

19 A. Speed limit.

20 Q. And what time of day did you make the drive?

21 A. It was during the lunch hour.

22 Q. And what was traffic like that time of day, or what was it
23 like that day?

24 A. It's pretty busy.

25 Q. And how does traffic -- based on your experience working

~~MOORE - DIRECT~~

1 in the Baltimore area over the years, how does traffic at that
2 time of day compare to traffic in the early morning hours?

3 **A.** It's basically the total opposite. Late night, after
4 midnight, it's pretty quiet.

5 **Q.** Do you see that there's a cell site plot for that 9975
6 cell phone? It's at -- I'm sorry, in the area of
7 3901 Princely Way where that flag is at 1:28 a.m. --

8 **A.** Yes, ma'am.

9 **Q.** -- on February 12th --

10 **A.** Yep.

11 **Q.** -- of 2015.

12 And have you tested the time it takes to drive from the
13 murder scene, 310 Collins Avenue, to 3901 Princely Way?

14 **A.** Yes.

15 **Q.** And where did you start?

16 **A.** I started -- as soon as I got to 310 Collins, I reset my
17 timer and left from 310 Collins.

18 **Q.** And how long did it take you?

19 **A.** If I may.

20 It took me 20 minutes and 28 seconds, approximately.

21 **Q.** And how fast did you make the drive?

22 **A.** Speed limit.

23 **Q.** And what time of day did you make the drive?

24 **A.** Still lunch hour.

25 **Q.** And how was the traffic at that time of day?

~~MOORE - DIRECT~~

1 A. Horrible.

2 Q. And how does traffic at that time of day compare to
3 traffic in the early morning hours?

4 A. Total opposite.

5 Q. Agent Moore, did you learn whether Dante Bailey was under
6 court supervision of any kind in February of 2015?

7 A. Yes, I did.

8 Q. And who did you learn he was being monitored by?

9 A. There's a local company. It's called ASAP. I forget what
10 it stands for. And they provide GPS monitoring services to a
11 defendant at the defendant's cost.

12 The actual tracking is provided by a company out of
13 Houston that's called STOP.

14 Q. And as part of your role as case agent, did you obtain
15 certified records from STOP from Satellite Tracking of People
16 for Dante Bailey in February of 2015?

17 A. Yes.

18 Q. And I'm going to show you Government's Exhibit MISC-12.

19 (Counsel conferred.)

20 BY MS. HOFFMAN:

21 Q. And can you tell us what we're looking at here.

22 A. Yep. That's the certified records from STOP, the
23 Satellite Tracking of People.

24 Q. And I'm going to flip through here. And obviously it's
25 really hard to see, but what's contained here?

~~MOORE - DIRECT~~

1 A. Pretty much what you're looking at is person being
2 tracked, date, time, GPS coordinates. There's local time.
3 There's UTC time.

4 Q. And is this about three pages of data here?

5 A. Yes.

6 Q. Did you review these records for the early morning hours
7 of February 12th of 2015?

8 A. I did.

9 Q. And were there any GPS coordinates for the ankle bracelet
10 during the early morning hours of February 12th, 2015?

11 A. Yes, there were.

12 Q. And I'm going to show you -- this is going to be
13 Government's Exhibit MISC-12-A.

14 (Counsel conferred.)

15 **BY MS. HOFFMAN:**

16 Q. And what are we looking at here?

17 A. That's a selected chunk of those -- the GPS hits from that
18 morning, on February 12th, 2015.

19 Q. And looking at the "track date (local)" column here, when
20 does it start here?

21 A. It's approximately 12:25 in the morning.

22 Q. And then when's the last one here (indicating)?

23 A. The last -- the last one that has data is 12:32, and then
24 there's one more that has no data at 1:30.

25 Q. And did you plot those latitude and longitude coordinates

~~MOORE - DIRECT~~

1 on a map?

2 **A.** I did.

3 **Q.** And I'm going to show you now

4 Government's Exhibit MISC-13.

5 Can you tell us what we're looking at here.

6 **A.** Yep. That's the map of the plot points.

7 **Q.** And can you kind of describe what -- like 1, 2, 3, 4, 5,
8 6, 7, 8 is?

9 **A.** Starting with 1, that's the first plot point. And
10 2 through 8 is going to be sequentially later times, the later
11 plot points.

12 **Q.** And what general direction are these plot points moving
13 in?

14 **A.** South.

15 **Q.** And can you remind us again. The time of the first plot,
16 I think you said, was 12:25 a.m.

17 **A.** Yes.

18 **Q.** And then the time of the last plot, number 8 on this map,
19 is 12:32 a.m.?

20 **A.** That's correct.

21 **Q.** And that's on February 12th of 2015?

22 **A.** Yes, ma'am.

23 **Q.** And I want to pull back up Government's Exhibit CSLI-1,
24 Page 19.

25 And if I may approach and bring you

~~MOORE - DIRECT~~

1 Government's Exhibit MISC-13.

2 (Handing.)

3 I'm going to zoom in on the -- kind of the right-hand side
4 of this map here.

5 And if you're able to, can you tell us the plots that you
6 just showed us on the map where they are in this map.

7 **A.** Sure. So the first one -- is it okay if I draw?

8 **Q.** Yeah, you should be able to draw on the screen.

9 **A.** Okay. The first one is kind of behind the text box there.
10 But it is going to start in what is Druid Hill Park and like
11 the Baltimore Zoo area. So the GPS bracelet was cutting
12 through the park right there (indicating).

13 And then as it progresses south, it's going to go kind of
14 down this way (indicating).

15 And then down Monroe Street until -- if I can figure it
16 out where -- it's going to go a little bit -- I might have
17 actually gone too far. But it's going to go down Monroe until
18 eventually it gets off onto Lafayette Avenue.

19 **Q.** Is it -- let me try zooming in.

20 You might be able to see it. Can you see West Lafayette
21 there?

22 **A.** Oh, yeah, there it is. It's all the way down. So let me
23 try it again.

24 So it's going to go here, all the way down to
25 West Lafayette, where it's going to go -- start going west on

~~MOORE~~ - ~~DIRECT~~

1 Lafayette.

2 **Q.** Now, were there any GPS coordinates for the ankle bracelet
3 between 12:32 a.m., that last coordinate we looked at,
4 number 8, and 1:30 a.m.?

5 **A.** No.

6 **Q.** And do you have any idea why?

7 **A.** I -- no.

8 **MS. HOFFMAN:** Thank you.

9 I have no further questions.

10 **THE COURT:** I think we'll take the mid-afternoon
11 recess.

12 So let me start by excusing the jury.

13 (Jury left the courtroom at 3:36 p.m.)

14 **THE COURT:** All right. And the witness can step down.

15 **THE WITNESS:** Thank you, ma'am.

16 **THE COURT:** Ms. Hoffman, this is going to be -- this
17 gentleman is your last witness?

18 **MS. HOFFMAN:** We have one more witness, which is going
19 to be Agent Aanonsen, and he should be quick.

20 **THE COURT:** Okay. Where do things stand on the chart
21 of names and people? And have you all had a chance to talk any
22 more about that?

23 **MS. HOFFMAN:** We haven't talked about it further.

24 And --

25 **THE COURT:** I can't remember; did it get marked for

1 identification? You already did that?

2 **MS. HOFFMAN:** It was marked for identification but not
3 shown to the jury.

4 **THE COURT:** Yes. Okay.

5 **MS. HOFFMAN:** And, Your Honor, I mean, it is our
6 position that there's nothing prejudicial about the way that
7 these people are indicated. I think it is helpful for the jury
8 to have just on one sheet of paper a collection of photographs
9 and names and nicknames.

10 And so we would ask that we be allowed to send this
11 back to the jury.

12 **THE COURT:** Okay. I'm not ruling on that part yet.
13 Yes, Ms. Whalen.

14 **MS. WHALEN:** Just on that, I would suggest that the
15 names and nicknames are relevant and the jury has basically
16 asked for it, so I don't have any problem with that.

17 I would ask that they just be added to the
18 already-existing exhibits, which are IND-1 through whatever
19 they are, as opposed to this type of chart.

20 And then prior to Agent Aanonsen, I do have some
21 issues.

22 **THE COURT:** Okay. I'm not going to -- the chart,
23 unless we find ourselves with a lot of time left over this
24 afternoon, I think we can get to that. Doesn't have to be
25 shown to the jury today.

1 What are your issues regarding --

2 **MS. WHALEN:** So, Your Honor, Agent Aanonsen, I
3 believe, is going to testify about the search of
4 Kevin Forrest's house and move in search warrant photographs.

5 Our position is that the Government's -- the relevance
6 of all of this testimony is that Tara Whyte sent the letter
7 that we have already seen in evidence to Kevin Forrest. A
8 search was done of Kevin Forrest's residence, and the letter
9 from Tara Whyte was found.

10 In that residence -- and I would suggest that is the
11 relevance of Kevin Forrest at all, because he is supposed to
12 contact Crazy to do whatever is going to be done.

13 In the search of Kevin Forrest's residence, I don't
14 believe he has been identified as being a member of MMP.

15 There have been photographs of him with my client
16 shown.

17 So in the residence are several different weapons that
18 I think are not part of this conspiracy. Of course, this
19 search is September of 2017. My client had been arrested and
20 locked up since May of 2016.

21 And I would suggest the Government can't tie in any of
22 these weapons to this conspiracy. And so I would ask that all
23 of that -- and there was a body -- body armor piece, I guess,
24 that all of those exhibits, specifically F through L, X, and Z,
25 not be admitted or testimony about them.

1 There's one other exhibit, Y. This is a screenshot, I
2 believe, of Kevin Forrest's phone where there was a missed call
3 from some -- has no number. I don't think it has a time or
4 anything other than the name Crazy Homie.

5 And so given that we don't know where this call came
6 from, whether that is indeed the Crazy that the Government
7 alleges, I'd ask that that not be admitted.

8 And, finally, Agent Aanonsen, I believe, is going to
9 testify about the identity of Crazy and I -- and look at a
10 photograph with Crazy holding a weapon. And I would just
11 indicate that I'm not sure he has a basis of knowledge for
12 saying that that person is Malik Thomas [sic] and that person's
13 nickname on the street is Crazy.

14 And so I would object to his -- his basis of knowledge
15 is probably from talking to other people getting that
16 information. From my understanding, he's never arrested him,
17 never done surveillance of him, and doesn't have personal
18 knowledge.

19 **THE COURT:** Okay. Ms. Perry.

20 **MS. PERRY:** Your Honor, we do intend to introduce the
21 evidence of the search warrant at Kevin Forrest's house after
22 the agents learned about the hit letter from the cell toss at
23 Northern Neck.

24 There were three guns recovered from the house, as
25 well as body armor. I think that that should -- testimony

1 about that should certainly come into evidence. I think it's
2 relevant.

3 I think Mr. Forrest has been identified as a
4 co-conspirator in this case and certainly has become a
5 co-conspirator by the nature of this particular letter.

6 I don't need to walk up all three of the guns and the
7 body armor, though there is one gun that's particularly
8 relevant in that in Mr. Forrest's phone, he was making an
9 attempt to purchase that very gun two days before the
10 search warrant was executed and two days after the letter, the
11 hit letter is postmarked.

12 So I do think it's relevant and probative, and I would
13 be seeking to introduce that.

14 As to Crazy, Agent Aanonsen will identify Crazy as a
15 subject of his investigation. The photo that I intend to show
16 has already come into evidence as a photo from Mr. Bailey's
17 iCloud, and so I do think all of that is relevant and probative
18 and that there's been enough of a link for the jury to make
19 that inference that it is Crazy who is being contacted,
20 especially with the missed call in Mr. Forrest's phone.

21 **THE COURT:** How was Crazy identified in the photograph
22 when it came into evidence?

23 **MS. PERRY:** Agent Aanonsen identified the
24 iCloud exhibit, the photo from the iCloud, as Malik Thompson,
25 who goes by the street name of Crazy.

1 There was a wire call involving -- was he named?

2 There's been other investigation in the case about
3 Crazy, including an incident in D.C. I am not actually sure --
4 and other cooperators have testified about Crazy and who Crazy
5 was and that he was a member of the Black Bloods Alliance.

6 **THE COURT:** There's testimony to that in this trial
7 about who Crazy was?

8 **MS. PERRY:** Yes. Yes, from cooperators.

9 **THE COURT:** Okay. All right.

10 **MS. WHALEN:** Can you indicate who? Because I don't
11 recall that.

12 **MS. HOFFMAN:** Well, both William Banks, a/k/a Trouble,
13 and Jay Greer, Champagne, identified Crazy. They identified
14 photos of him and said that he was a member of the
15 Black Blood Brotherhood. He's BGF, but he became a part of the
16 conspiracy through the Black Blood Brotherhood.

17 And the photo of Crazy with the gun was identified by
18 Agent Aanonsen. I believe it was identified by either
19 William Banks or Jay Greer. I can't remember which, but they
20 also identified him as Crazy with the gun.

21 And just to kind of close the loop there, the
22 hit letter obviously says, Tell Hollywood to tell Crazy to pop
23 a bottle of champagne.

24 **THE COURT:** Sure.

25 **MS. HOFFMAN:** And then right as the agents are

~~MOORE - CROSS~~

1 executing the warrant, there's a missed call on Mr. Forrest's
2 phone from Crazy Homie. And he's just purchased a gun after
3 receiving the hit letter.

4 **THE COURT:** Okay. I think that all seems fairly
5 relevant to prove the nature of this communication, the purpose
6 of this communication, and I'm going to overrule the objection.

7 Okay. Let's excuse the gallery.

8 We'll take a short recess.

9 (Recess taken.)

10 **THE COURT:** Ready for the jury.

11 (Jury entered the courtroom at 4 o'clock p.m.)

12 **THE COURT:** All right, Ms. Whalen.

13 **MS. WHALEN:** Thank you, Your Honor.

14 CROSS-EXAMINATION

15 **BY MS. WHALEN:**

16 **Q.** Agent Moore, you've told us about some GPS locations;
17 correct?

18 **A.** Yes, ma'am.

19 **Q.** And you actually mapped them or placed them onto a map so
20 that you could visually see where the records are pinging, if
21 you will?

22 **A.** Yes, that's correct.

23 **Q.** And GPS is actually different from cell phone evidence, is
24 it not?

25 **A.** Yes.

~~MOORE - CROSS~~

1 Q. So GPS is actually a device that an individual wears --
2 and sometimes on the ankle or sometimes elsewhere -- and it
3 actually is communicating with satellites; correct?

4 A. Yes.

5 Q. And a cell phone is different in that it communicates with
6 a cell tower; is that correct?

7 A. I honestly -- I'm not the cell phone expert. That's why I
8 call Mat Wilde. So I know what GPS does and how it works. How
9 a cell phone with a GPS capability works, I couldn't tell you.

10 Q. But suffice it to say, you learned that Dante Bailey had
11 some sort of GPS device on his person; correct?

12 A. Yes.

13 Q. And that that was tracking him via satellite in some way;
14 right?

15 A. Correct.

16 Q. And you were able to obtain records about it; right?

17 A. Yes.

18 Q. Okay. And those records that you showed us in
19 Miscellaneous 13 -- well, let me first go to -- the cell phone
20 was 9975 that you thought Mr. Bailey was using; correct?

21 A. Correct.

22 Q. Those are the last four digits?

23 A. Yes, ma'am.

24 Q. Okay. And I'll show you in CSL-11 [sic], Page 18.

25 This is Mr. Wilde's product; correct?

1 **A.** I haven't seen -- yeah.

2 **Q.** Fair enough. Okay.

3 All right. So this is an item in evidence, and you looked
4 at Page 19 on your direct examination.

5 Do you recall that?

6 **A.** I believe so, yes.

7 **Q.** Okay. And here we've got 12:23 on 12/12 [sic] and also
8 12:15 it appears that that phone number was communicating with
9 that tower; is that correct?

10 **A.** For what the map says, yes.

11 **Q.** Okay. And then this is Druid Hill Park right here
12 (indicating); correct?

13 **A.** Correct.

14 **Q.** Okay. Now your mapping, which is Miscellaneous 13, just
15 so we orient ourselves again, this is Druid Hill Park
16 (indicating) --

17 **A.** Yes, ma'am.

18 **Q.** -- correct?

19 **A.** Yep.

20 **Q.** And the first latitude and longitude site that you saw
21 from these records was up here in Druid Hill Park.

22 **A.** Correct.

23 **Q.** And it makes its way down, you said, to
24 West Lafayette Street; is that correct?

25 **A.** That's correct, ma'am, yes.

~~MOORE - CROSS~~

1 Q. Around the 2000 block of West Lafayette?

2 A. Yes.

3 Q. Okay.

4 A. Yes.

5 Q. And you simply just went to Google Maps, threw in these
6 longitude and latitude coordinates, and it gave you where these
7 locations were --

8 A. Correct.

9 Q. -- is that correct?

10 A. Yep.

11 Q. All right. And the records stop at that point; right?

12 A. Yes.

13 Q. All right. And what time was the last track?

14 A. It's 12:32.

15 Q. All right. 12:32. And we know from the 9-1 -- with the
16 first 9-1-1 call that came in, and this is CAD-2-AT, that the
17 call came in at 12:59:35; is that correct?

18 A. Yes, ma'am.

19 Q. And that was someone at Collins Avenue indicating that
20 they'd heard shots and they were calling for police assistance;
21 right?

22 A. Yes.

23 Q. Okay. So obviously, Mr. Edwards was killed sometime
24 before 12:59.

25 A. Correct.

~~MOORE - CROSS~~

1 Q. And, again, remind me when the last track was.

2 A. 12:32.

3 Q. All right. So then you endeavored to see how long it
4 would take to drive from where to where?

5 A. From the BP -- BPD Northern District at
6 2201 West Cold Spring down to 310 Collins.

7 Q. So now let me show you again what we were looking at
8 before, which is CSL-11 [sic], Page 18.

9 And Druid Hill Park here (indicating); correct?

10 A. Yes. Yep.

11 Q. So the precinct is somewhere up in here (indicating)?

12 A. The little park there, the green blob, it's just on the
13 edge of that blob. That blob that cuts the park off is -- the
14 road that cuts it off is Cold Spring. So if I may --

15 Q. All right. Is this Cold Spring right here?

16 A. Yep, that's Cold Spring that goes along the top.

17 Q. Okay. And so it was at that location that you went to the
18 police station and you started to drive?

19 A. Yes, ma'am.

20 Q. Now, are you familiar with how the range of a
21 cell tower -- or strike that.

22 Do you know what the range is of a cell tower?

23 A. No. Sorry.

24 Q. Do you know whether it can pick up calls in an arc like
25 this (indicating)?

~~MOORE - CROSS~~

1 A. I -- honestly, ma'am, I couldn't give you a fair answer.

2 Q. All right. Now, when you made that drive, how long did it
3 take you again?

4 A. I'd have to see my report, but I believe the down trip was
5 18 minutes and 35 seconds.

6 Q. And, again, you made it at a lunch hour -- when was that?

7 A. I think it was April 5th, so a weekday.

8 Q. Of?

9 A. Of this year.

10 Q. Of this year?

11 A. Yes, ma'am.

12 Q. Okay. So you'd agree with me it was a long time passed --

13 A. Yes.

14 Q. -- in between when Mr. Edwards was killed and you made the
15 drive; right?

16 A. Sure, yeah.

17 Q. Different time of day; right?

18 A. Yes.

19 Q. No indication or you didn't try to find out if in the 2015
20 to 2019, in that period in between, whether there were any
21 traffic delays or obstacles or construction or anything way
22 back when, when Mr. Edwards was killed, that would have in any
23 way affected a drive; right?

24 A. No.

25 Q. Okay. And did you go back and sort of look and see if

~~MOORE - CROSS~~

1 there was anything happening in that drive area; in other
2 words, a vigil or a festival or anything happening, a big
3 party, that would have affected traffic back when Mr. Edwards
4 was killed?

5 A. In -- no, ma'am, no.

6 Q. Okay. And you assumed a place to start; right?

7 A. Yes.

8 Q. And you assumed the route that someone would take; right?

9 A. Yes.

10 Q. And there were other routes that someone could take; is
11 that correct?

12 A. Of course.

13 Q. All right. And that may affect any time or travel; right?

14 A. Yes.

15 Q. But what you found in your demonstration is that it took
16 you 18 minutes and 35 seconds; right?

17 A. Correct.

18 Q. Now, on -- you also went the return route to Princely Way;
19 correct?

20 A. Correct, ma'am.

21 Q. Now, let me just show you one other exhibit, CSL-11 [sic],
22 and this is Page 21.

23 All right. And at 2/12/2015 at 1:28 a.m., do you see that
24 on this exhibit?

25 A. Yes, ma'am.

~~MOORE - CROSS~~

1 Q. Okay. And do you see that the 9975 number -- and let me
2 go up into the corner here --

3 A. Uh-huh.

4 Q. -- reported to use the cell tower up near Princely Way.

5 A. Yes.

6 Q. And that was where Mr. Bailey was living; right?

7 A. Yes.

8 Q. So then you did a drive from where, Collins --

9 A. Yes.

10 Q. -- Avenue up to Princely Way?

11 A. Correct.

12 Q. Okay. And, again, and I won't go into it; but different
13 time, different, you know, a lot of time passed in those four
14 years.

15 A. Sure.

16 Q. And you don't know about the traffic for certain about --
17 back on February 12th -- or February 11th or 12th of 2015;
18 right?

19 A. No; but in general, the traffic at night, at that hour of
20 night, is drastically less than the traffic during the day at
21 any time.

22 Q. And you're just basing -- well, let me ask it this way:
23 You are being fair in saying that's a generalization; right?

24 A. Yes.

25 Q. Okay. And what was your time again for that trip?

~~MOORE - CROSS~~

1 **A.** I'd have to see the report, but I believe it was
2 20 minutes and 28 seconds.

3 **Q.** All right. And so we know that at -- I'm showing you
4 again Miscellaneous 13. I'll go out again.

5 We know that Point 8, that was at 12:32; correct?

6 **A.** Yes, ma'am.

7 **Q.** And this bracelet, if you will, or monitor that Mr. Bailey
8 would be wearing was at these coordinates here (indicating).

9 **A.** Correct.

10 **Q.** Okay. And you believe that those are
11 West Lafayette Street?

12 **A.** Yes.

13 **Q.** Okay. And beyond that, the only other thing we know about
14 where Mr. Bailey may have been was when a cell phone ending in
15 9975 at 1:28 seemed to use a tower by Princely Road; right?

16 **A.** Correct.

17 **Q.** And in that -- all that period of time in between, we have
18 no idea from cell phone records or from GPS location monitoring
19 where Mr. Bailey may have been; correct?

20 **A.** That's correct.

21 **Q.** So he could have, for instance, gone right back up the
22 route he went when he came down (indicating); correct?

23 **A.** Sure.

24 **Q.** He could have stayed at Point No. 8 on West Lafayette
25 until he actually ended up at 1:28 in Princely Way; right?

1 A. Sure.

2 Q. Okay. Could have gone east, could have gone west; right?

3 A. Could have gone anywhere.

4 Q. And there are no -- from your review of these records,
5 there are no tracks -- or whatever you want to call them, GPS
6 tracks, of Mr. Bailey down on Collins Avenue; correct?

7 A. That's correct, ma'am.

8 Q. Now, the records themselves were pretty hard to look at
9 without really magnifying them; is that correct?

10 A. Yeah. They were awful.

11 Q. I'm going to show you what's -- well, you in
12 Miscellaneous 12-A, you did sort of enlarge these records so
13 that we have a sense of what they look like.

14 A. Correct.

15 Q. And these are what you use to track, right --

16 A. Yes.

17 Q. -- the points.

18 Now, there are -- there are more headings (indicating),
19 correct --

20 A. Correct.

21 Q. -- than the original records?

22 So this is enrollee last name, date of birth.

23 And I'm just jumping.

24 Track date, GPS latitude and longitude (indicating).

25 Right?

~~MOORE - CROSS~~

1 **A.** Correct.

2 **Q.** Now, I'm going to try -- and bear with me because it's
3 difficult in zooming to watch. I'm going to try to zoom in on
4 the others.

5 Okay. Can you read that?

6 **A.** Yes.

7 **Q.** All right. You see here it says -- where this little dot
8 is (indicating)?

9 **A.** Yes.

10 **Q.** "Strap Tamper Detected."

11 **A.** Yes.

12 **Q.** All right. And you are aware that that's indicating to
13 whoever is monitoring him whether the machine or the device has
14 been tampered with.

15 **A.** I don't know that for sure, but that seems fair, yes.

16 **Q.** Okay. Now I'm going to turn it around -- and, again, I
17 apologize for the visual here.

18 And see where I have put a little dot (indicating)?

19 **A.** Yes.

20 **Q.** Let's go over a little farther. Maybe if I zoom out a
21 little you'll be able to . . .

22 Do these appear, right here, to be the latitude and
23 longitude that you plotted (indicating)?

24 **A.** I'd have to see the date and time to tell you for sure.

25 **MS. WHALEN:** May I approach, Your Honor?

~~MOORE - CROSS~~

1 **THE COURT:** Yes.

2 **THE WITNESS:** Sorry.

3 **BY MS. WHALEN:**

4 **Q.** It's okay.

5 (Handing.)

6 **A.** Thank you.

7 Yes, ma'am. That's -- that's those coordinates.

8 **Q.** Okay. And then we're going to try to scroll over to -- do
9 you see where the Ns are (indicating)?

10 **A.** Yes.

11 **Q.** Okay. And all -- the N all including where you were
12 plotting?

13 **A.** Yes.

14 **Q.** All right. Let me try to take us back up again so we can
15 be certain.

16 And, again, do you see the Strap --

17 **A.** Yes, ma'am, yep.

18 **Q.** -- Tamper and the Ns?

19 **A.** Yes.

20 **Q.** And are you familiar with whether that's indicating that
21 there was no tampering of this device?

22 **A.** I mean, I can see what that says. I assume that that
23 means has it been -- if there's a tamper on it. I'm not sure
24 how the device works. As we said, there's different styles.

25 **Q.** Now, you are aware that 2000 West Lafayette Avenue is

~~MOORE - CROSS~~

1 3.2 miles from 300 Collins?

2 **A.** If you say so, sure. Yeah. It's not --

3 **Q.** Did you Google it or do a map or anything like that?

4 **A.** From West Lafayette to Collins? No, I did not.

5 **Q.** Let me show you Defendant's Exhibit 11.

6 (Counsel conferred.)

7 **BY MS. WHALEN:**

8 **Q.** You're familiar with Google Maps; right?

9 **A.** Yes, ma'am.

10 **Q.** Let me start with up on the left. Do you see this to be a
11 map of 2000 West Lafayette Avenue, Baltimore, to
12 Collins Avenue?

13 **A.** Yep.

14 **Q.** Okay. And the drive, 3.2 miles (indicating)?

15 **A.** Yes, ma'am.

16 **Q.** 10 minutes?

17 **A.** Yep.

18 **Q.** The estimate?

19 **A.** Correct. Yeah.

20 **Q.** Now, in fairness, Google Maps estimates from the time in
21 which you're requesting the drive time; right?

22 **A.** Yes.

23 **Q.** Okay. Now, I'm just going to ask you -- it gives
24 different routes; is that correct?

25 **A.** Sure.

~~MOORE - CROSS~~

1 Q. And each of these routes, it's saying 10 minutes,
2 10 minutes, 10 minutes (indicating); correct?

3 A. Yes.

4 Q. Down at the very bottom -- and I will try to do it this
5 way where you can see the coordinates.

6 Do you still have the coordinates in front of you?

7 A. Yes, ma'am.

8 Q. All right. Take a look here and tell me if this
9 coordinate that I'm pointing to matches up with your sheet of
10 coordinates (indicating).

11 A. Yes. It's the last coordinate, I believe.

12 Q. Which would be basically number 8?

13 A. Yes.

14 Q. Okay. And number 8 --

15 MS. WHALEN: If I may approach.

16 BY MS. WHALEN:

17 Q. -- being the last GPS track that you got?

18 A. Correct.

19 Q. Down here, the very end of the map (indicating).

20 A. Yes, ma'am.

21 Q. And can you actually sort of see Lafayette,
22 West Lafayette, even though it's cut off --

23 A. Yep.

24 Q. -- right there?

25 MS. WHALEN: All right. Thank you, sir.

~~MOORE - CROSS~~

That's all the questions I have.

THE COURT: Thank you, Ms. Whalen.

Mr. Sardelli.

MR. SARDELLI: Thank you, Your Honor.

CROSS-EXAMINATION

BY MR. SARDELLI:

Q. Good afternoon, Agent Moore.

A. Sir.

Q. Now, the controlled buys you testified about earlier were not with Randy Banks; correct?

A. Correct.

Q. Now, I believe you testified about Call B-4104; am I correct?

A. Yes, sir.

MR. SARDELLI: One second, Your Honor.

BY MR. SARDELLI:

Q. Is that -- is this the call here?

A. Yes.

Q. And correct me if I'm wrong; this is the one call that's in evidence related to being to or from Randy Banks; correct?

A. I believe so, yes.

Q. And this case involved thousands of phone calls; correct?

A. Correct.

Q. And a wiretap is one of the tools for federal law enforcements to investigate drugs; correct?

~~MOORE - CROSS~~

1 A. Yes, sir.

2 Q. Do you see the part where the person that you allege is
3 Mr. Banks says [reading]: Yeah, that "N" word Fish was having
4 a little drunk episode and shit?

5 A. Yes.

6 Q. Okay. And this call is, according to this transcript,
7 from on or about July 25th, 2015; am I correct?

8 A. Correct.

9 Q. Are you also familiar with a club called Paparazzi?

10 A. Yes.

11 Q. And this has actually been previously introduced as SM-22.
12 Do you remember this?

13 A. I don't know if that came in through me or not.

14 Q. Okay. And this appears to be an advertisement for some
15 type of party or something; correct?

16 A. Correct.

17 Q. Friday, July 24th. And are you -- are you aware that
18 Friday, July 24th, falls on 2015, the year?

19 A. I think it's a Friday. There's probably a Friday
20 July 24th on a number of years, but it would be posted --

21 Q. Would it surprise you that the 24th of July fell on a
22 Friday in 2015?

23 A. No.

24 Q. In fact, can you tell me when this was taken? Do you see
25 where my finger is there (indicating)?

~~MOORE - CROSS~~

1 A. Yeah.

2 Q. Can you give us the date that was taken.

3 A. It looks like it's 6/13/2015.

4 Q. And there's been evidence about drinking in this case;
5 correct?

6 A. About drinking?

7 Q. Yeah. Alcohol; right? Clubs. One of the a/k/as is
8 Champagne for one of the cooperating witnesses. So the issue
9 of drinking alcohol has come up in the case before.

10 A. I haven't been privy to everybody's testimony, but I don't
11 know that it's come in through me at all.

12 Q. Okay. You're the co-case agent; correct?

13 A. Correct.

14 Q. Such club as Mirage has come up; correct?

15 A. Yes.

16 Q. You can drink alcohol at Mirage; right?

17 A. Sure.

18 Q. Paparazzi has come up in your investigation.

19 A. Yes.

20 Q. You can drink alcohol there; right?

21 A. Yes.

22 Q. I think at one point as part of your investigation, there
23 was a video from the Customs House; right?

24 A. Yes.

25 Q. And it was looking down an alley. And I believe clubs

~~MOORE - CROSS~~

1 such as Norma Jean's and Hustler were as -- part of that alley
2 there; right?

3 A. Yes. That's near the block. Yeah.

4 Q. You can drink alcohol there; right?

5 A. Sure can.

6 Q. Okay. And in your experience as an agent and as a human
7 being, have you ever talked about a night out of drinking
8 before the next day?

9 A. Sure.

10 Q. And in this case, besides this one call, there are other
11 calls with Mr. Banks; right?

12 A. No.

13 Q. There aren't any jail calls? He's not at CDF?

14 A. No -- oh, I'm sorry. The jail calls, no.

15 Q. Yeah, 'cause this case, there's been wiretap calls?

16 A. Sure.

17 Q. There have been jail phone calls?

18 A. Yes.

19 Q. There have been texts, social media?

20 A. Correct.

21 Q. All kinds of things.

22 A. Yes.

23 Q. For example, jail calls.

24 A. Sure.

25 Q. All right.

~~MOORE - CROSS~~

1 **A.** Yeah.

2 **Q.** So there are other calls involving Mr. Banks; right?

3 **A.** Oh, yes, yes. I'm sorry. Yeah.

4 **Q.** Okay. I believe one of the calls you played referenced
5 Mr. Banks being in a van with his kids; right?

6 **A.** Yes.

7 **Q.** All right. So he does have kids; right?

8 **A.** I presume so, yes.

9 **Q.** And out of the thousands of calls, texts, social media,
10 everything else, this is the one call you're showing the jury;
11 correct?

12 **A.** That's the one call that's come in through me. Yes.

13 **MR. SARDELLI:** Thank you.

14 No further questions, Your Honor.

15 **THE COURT:** All right. Mr. Trainor.

16 **MR. TRAINOR:** Thank you, Your Honor.

17 CROSS-EXAMINATION

18 **BY MR. TRAINOR:**

19 **Q.** Good afternoon, Agent Moore. How are you?

20 **A.** Good. How are you, sir?

21 **Q.** Fine. Thanks.

22 I want to talk to you about a different Mr. Banks,
23 William Banks.

24 **A.** Okay.

25 **Q.** Your agency took over this investigation in March of 2016;

~~MOORE - CROSS~~

1 is that right?

2 A. My group did, yes.

3 Q. Your group?

4 A. Yes.

5 Q. All right. And your group is --

6 A. The group that I -- that Agent Aanonsen and I were in at
7 the time, yes.

8 Q. All right. So you took charge -- your group took charge,
9 and you and Agent Aanonsen are co-case agents on this.

10 A. Correct.

11 Q. As early as March 10th of 2016, you were involved with
12 William Banks in a -- what you described as a controlled buy;
13 correct?

14 A. Correct.

15 Q. All right. William Banks was a confidential informant
16 with your group?

17 A. Yes, sir.

18 Q. He had signed up, signed a contract with you?

19 A. With a different -- Task Force Officer Brad Hood was his
20 handler. Brad was on loan to us from another group.

21 Q. You weren't his handler. But he -- with your agency or
22 your group, he was a registered informant. He had to sign a
23 contract, and it had been explained to him that he was only of
24 value as long as he told the truth?

25 A. Correct.

~~MOORE - CROSS~~

1 Q. All right. And he agreed to do that.

2 A. Yes.

3 Q. So on March 10th, 2016, you gave him \$600 of agency money?

4 A. I believe the money went to the other informant.

5 Q. All right. So you had two informants in an automobile
6 that was your agency's automobile; correct?

7 A. Yes, sir.

8 Q. There was a female in the passenger seat.

9 A. Yes.

10 Q. And she was one of your -- she had signed one of those
11 contracts, too?

12 A. Correct.

13 Q. She was a convicted felon; correct?

14 A. I don't know what her -- I wasn't her handler. I couldn't
15 tell you what her -- her record was.

16 Q. All right. She was on the payroll for -- or being paid
17 something for her work?

18 A. Yes.

19 Q. But you don't know her criminal record.

20 A. I -- I truthfully couldn't tell you, no. I'm sorry.

21 Q. All right. But, in any event, we don't even need to know
22 her name. She was CI Number 1; right?

23 A. In the case, you mean, yes. She had a different number,
24 yes. But I believe she was CI-1.

25 Q. Right. And she rode in the passenger seat, and you think

~~MOORE - CROSS~~

1 you handed \$600 to her?

2 **A.** I don't think I gave -- I personally didn't give her
3 anything. I think she was the one that was given the money
4 that ATF provided, yes.

5 **Q.** All right. You testified about what happened on
6 March 10th, 2016. Were you there?

7 **A.** Yes.

8 **Q.** All right. And William Banks got behind the wheel of the
9 vehicle; correct?

10 **A.** Yes. He was driving, yes.

11 **Q.** And it was out -- the vehicle was outfitted with a camera,
12 or was Mr. Banks wearing the camera?

13 **A.** The vehicle was outfitted with a camera.

14 **Q.** All right. And he was to contact or have contact with
15 Jamal Lockley for a drug transaction; correct?

16 **A.** I believe, if I recall correctly, they spoke the night
17 before and then spoke again on the 10th.

18 **Q.** All right. And so you sent or your group or your agency
19 sent Mr. Banks off driving the vehicle with the other
20 confidential informant in the passenger seat. She had \$600.
21 And he was the driver, and he was to drive over and meet with
22 Mr. Lockley.

23 **A.** Correct. I believe the night before or that morning,
24 Mr. Banks and Mr. Lockley had settled on a place to meet.

25 **Q.** You didn't go with him?

~~MOORE - CROSS~~

1 **A.** No, I did not, no.

2 **Q.** And you can't have him under surveillance when he met with
3 Mr. Lockley?

4 **A.** Yes, he was; but not by me. My job that day was part
5 of -- it's what's called a react team. It's me and three other
6 guys, and we are basically the safety element.

7 So if there's an issue or if there's a reason to rescue
8 anybody, we're the rescue team. But because we're four guys
9 outfitted with tactical gear and guns, we don't sit near the
10 deal.

11 **Q.** So you didn't observe any exchange between Mr. Lockley and
12 Mr. Banks?

13 **A.** Not personally, no.

14 **Q.** And at -- whatever happened over -- and that all happened
15 at Elsinore and Clifton Avenue; right?

16 **A.** Yes, I believe so.

17 **Q.** All right. Now, when Mr. William Banks was out of view,
18 out of your view, whatever happened there happened; and then he
19 came back, as I understand it, drove back to wherever you had
20 outfitted him?

21 **A.** Well, so the way that we cover our deals is, as I said,
22 myself or the react component, whatever -- whoever makes it up
23 sits kind of away from the deal so we don't get caught.

24 We will always have somebody who can see the deal because
25 if the transmitting equipment fails, then we have no idea

~~MOORE - CROSS~~

1 what's going on.

2 So even though we wouldn't be able to hear, we still have
3 to have somebody that can see the deal so that they can tell
4 the rest of us there's a problem: There's a robbery. He's
5 lost. I don't know where he is.

6 We'll always have a backup besides the transmitting
7 device, because sometimes they do fail.

8 Q. All right. But you didn't see what happened there?

9 A. No. I watched the video after, but I didn't see it live
10 time, no.

11 Q. You watched the video. And if there was an exchange with
12 Mr. Lockley, it happened at the driver's side window; correct?

13 A. I don't recall. I'd have to see the video again for sure,
14 but I don't recall. I'm sorry.

15 Q. The video is in evidence, so we know what it shows.

16 When Mr. William Banks returned your vehicle to whatever
17 checkpoint it was that you set him up, he didn't have any money
18 with him?

19 A. No.

20 Q. And neither did CI Number 1, the lady.

21 A. The female, yes.

22 Q. And one of them, either Mr. Banks or the lady, handed over
23 14 grams of crack cocaine, correct, or cocaine base?

24 A. Yes, I believe so.

25 Q. All right. And it was only -- only later that you found

~~MOORE - CROSS~~

1 out that William Banks had a real credibility problem.

2 **A.** That probably was August of that year. Yes.

3 **Q.** August of 2016, you found out that he had lied to
4 law enforcement about who shot Samartine Hill on October 15th,
5 2012; correct?

6 **A.** Correct, yes.

7 **Q.** He had told you that someone else did it --

8 **A.** That's correct.

9 **Q.** -- and he implicated that person as the shooter when, in
10 reality, he was the person on video standing over the man's
11 body and firing bullets into him.

12 **A.** Correct. Yes.

13 **Q.** And as a result of that, your agency had to terminate him
14 as a reliable confidential informant; correct?

15 **A.** Correct.

16 **MR. TRAINOR:** No further questions.

17 **THE COURT:** Okay. Mr. Hazlehurst.

18 **MR. HAZLEHURST:** Thank you, Your Honor.

19 CROSS-EXAMINATION

20 **BY MR. HAZLEHURST:**

21 **Q.** Back again, huh?

22 **A.** Sir.

23 **Q.** Good afternoon.

24 You were asked by Government counsel about cell phones
25 that were obtained from Shakeen Davis after his arrest on

~~MOORE - CROSS~~

1 February 24th, 2017; correct?

2 A. Correct.

3 Q. And there were four cell phones; correct?

4 A. I believe so, yes.

5 Q. Okay. And you were asked whether search warrants were
6 obtained for those cell phones.

7 And they were, weren't they?

8 A. Yes.

9 Q. And those cell phones were all examined; correct?

10 A. Yes.

11 Q. And excerpts were prepared from those cell phones;
12 correct?

13 A. Correct.

14 Q. Now, you didn't prepare those excerpts, I assume?

15 A. I did not.

16 Q. But you -- clearly, you have testified today in regard to
17 at least one cell phone extract, which was labeled
18 Government's Exhibit CELL-3; correct?

19 A. Yes.

20 Q. And you reviewed that excerpt.

21 A. Not the -- not in its entirety, no, but portions of it,
22 yes.

23 Q. Well, you were directed during examination by Government
24 counsel to certain text messages; correct?

25 A. Yes.

~~MOORE - CROSS~~

1 Q. And you were asked, basically, to refer to what was in
2 those text messages; right?

3 A. Yes, sir.

4 Q. Okay. Now, again, you're a case agent for this case, at
5 least a co-case agent; correct?

6 A. Correct.

7 Q. You're familiar with the evidence in this case.

8 A. Yes.

9 Q. And you are also familiar with how cell phone excerpts are
10 prepared; correct?

11 A. Yes.

12 Q. Okay. And, essentially, the person who prepares the
13 excerpt is seeking evidence that is pertinent to this case;
14 correct?

15 A. Yes.

16 Q. Okay. All right. And if there is something they believe
17 is a pertinent call related to this case, they're not going to
18 admit it, are they?

19 A. One wouldn't think so, no.

20 Q. Again, you said you haven't reviewed this excerpt in full,
21 but there are text messages basically for essentially nine
22 pages of the exhibit; correct?

23 A. Yeah. I believe I misspoke. I was implying that I hadn't
24 reviewed the entire extract --

25 Q. Excerpt.

1 **A.** -- yes. The excerpt I reviewed in full, yes, I'm sorry.

2 **Q.** So let me make sure I've got my terms correct.

3 So there's an extract that is prepared --

4 **A.** Yes.

5 **Q.** -- on the cell phone?

6 **A.** Yes.

7 **Q.** And from that extract, there is an excerpt that is
8 prepared; correct?

9 **A.** You got it.

10 **Q.** And the excerpt is the thing that focuses or limits the
11 calls to those that you all believe are pertinent to this case;
12 correct?

13 **A.** Correct.

14 **Q.** And you, again, have reviewed the excerpt in its entirety?

15 **A.** Yes.

16 **Q.** Okay. It would be fair to say that you've looked at all
17 the telephone numbers that were related to those text messages;
18 correct?

19 **A.** Yes.

20 **Q.** Okay. And none of those telephone numbers were associated
21 with anybody who's sitting here at defendants' table; correct?

22 **A.** That's correct.

23 **Q.** Okay. And none of those cell phone numbers, as far as you
24 could tell, were associated with anybody who was ever charged
25 in this case; correct?

~~MOORE - CROSS~~

1 **A.** Not that I could tell, no.

2 **Q.** Okay. Now, you were also asked about whether you had ever
3 heard jail calls pertaining to the hiding of guns; correct?

4 **A.** Yes.

5 **Q.** Okay. And you were directed to a call, Call J-6; correct?

6 **A.** Uh-huh.

7 **Q.** All right. And you responded in the affirmative that, in
8 fact, you had listened to jail calls that involved the hiding
9 of weapons; correct?

10 **A.** Correct.

11 **Q.** Okay. And the call J-6 was on August 28th, 2014; correct?

12 **A.** Yes.

13 **Q.** And it involved Sydni Frazier and Shakeen Davis; correct?

14 **A.** Correct.

15 **Q.** Okay. And you identified their voices.

16 **A.** Yes.

17 **Q.** And in particular, you identified a passage, when directed
18 by Government counsel -- and tell me if I -- you see where it's
19 been highlighted here.

20 **A.** Yep.

21 **Q.** And can you see that on your screen and read it?

22 **A.** Yep.

23 **Q.** Okay. And you referred to that passage or were referred
24 to that passage, and you said that was a passage that basically
25 involved a conversation about the hiding of guns; correct?

~~MOORE - CROSS~~

1 A. Correct.

2 Q. Okay. And, in essence, if I -- and correct me if I'm
3 wrong. It says [reading]: And I put two of them bitches up
4 there and can't even go up there and get my shit 'cause I don't
5 know if they are still over there, man.

6 Correct?

7 A. Correct.

8 Q. And that is the particular phrase or the particular
9 sentence that you're referring to when you said it involved the
10 hiding of weapons; correct?

11 A. Correct.

12 Q. Okay. So this conversation does not give a geographic
13 location for where they're talking about, does it?

14 A. No.

15 Q. Okay. Doesn't identify a particular address?

16 A. No.

17 Q. Doesn't identify a particular street?

18 A. No.

19 Q. Okay. Doesn't identify even a particular neighborhood,
20 does it?

21 A. Well, no.

22 Q. Okay. But you're making an assumption here; correct?

23 A. I'm making an assumption based off of the whole length of
24 jail calls that I listened to previous in which Shakeen Davis
25 is always -- or not always, frequently in the 5200 block of

~~MOORE - CROSS~~

1 Windsor Mill Road where there are, in fact, woods where guys
2 would stash guns and drugs.

3 Q. Okay. So you're assuming here that they're referring to
4 the 5200 block of Windsor Mill Road; correct?

5 A. Correct.

6 Q. Okay. Now, again, this is August 28th of --

7 A. 2014.

8 Q. -- 2014.

9 Thank you. I appreciate that.

10 And you didn't recover any firearms in any woods at the
11 5200 block of Windsor Mill Road around August 28th, 2014, did
12 you?

13 A. No, sir.

14 Q. And you're not aware of anybody else who recovered
15 firearms in that area around August 28th, 2014, are you?

16 A. I have not checked, but -- so, no, I am not.

17 Q. And certainly nothing that was associated with
18 Shakeen Davis; correct?

19 A. Not to my knowledge, no.

20 Q. Okay. So, again, it's an assumption; right?

21 A. Correct.

22 MR. HAZLEHURST: No further questions, Your Honor.

23 THE COURT: Thank you.

24 Any redirect?

25 MS. HOFFMAN: No redirect. Thank you.

(Witness excused.)

MS. PERRY: Your Honor, at this time the Government would re-call Special Agent Christian Aanonsen.

THE WITNESS: Yes, ma'am.

SPECIAL AGENT CHRISTIAN AANONSEN, GOVERNMENT'S WITNESS,
PREVIOUSLY SWORN.

BY MS. PERRY:

A. Good afternoon.

As the case agent in this case, were you made aware of a situation that arose at the Northern Neck Regional Jail?

Q. I want to show you, first, what has already come into evidence as Government's Exhibit GP-16-A.

A. [Reading]: Also, I need you to send a letter to Hollywood and give him this address: 2609 Fairview Avenue, Apartment D.

Tell Hollywood give this address to Crazy. Tell him to tell

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1 Crazy to Pop, underline, a bottle of champagne for me.

2 Q. Now, Agent Aanonsen, was there a subject of your
3 investigation who went by the name Hollywood?

4 A. Yes; Kevin Forrest.

5 Q. I'm going to show you Government's Exhibit IND-30.
6 Do you recognize this person?

7 A. Yes. That's Kevin Forrest, a/k/a Hollywood.

8 Q. And based on your investigation, did you uncover
9 connections between Mr. Forrest and Mr. Dante Bailey?

10 A. Yes.

11 Q. I'm going to show you Government's Exhibit IC-43.

12 Can you tell us who we're looking at here.

13 A. On the left is Kevin Forrest. In the center is
14 Dante Bailey.

15 Q. Now, was there a subject of your investigation who went by
16 the name of Crazy?

17 A. Yes.

18 Q. Who was that?

19 A. Malik Thompson.

20 Q. I'm going to show you Government's Exhibit IND-90.

21 Who are we looking at here?

22 A. Malik Thompson, a/k/a Crazy.

23 Q. And was there a subject of your investigation who went by
24 the name of Champagne?

25 A. Yes.

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1 Q. Who was that?

2 A. Jay Greer.

3 Q. I'm going to show you Government's Exhibit IND-39.

4 Who is this?

5 A. That's Jay Greer, a/k/a Champagne.

6 Q. And, finally, I want to talk about the address
7 2609 Fairview Avenue, Apartment D. Did this address have any
8 significance in your investigation?

9 A. It was the residence of Jay Greer.

10 Q. How did you know it was Mr. Greer's residence?

11 A. 'Cause we executed a search warrant there.

12 Q. Now, Agent Aanonsen, after learning about
13 Government's Exhibit GP-16-A, what did you do?

14 A. We took immediate action to relocate Jay Greer.

15 Q. What else did you do?

16 A. We applied for a search warrant for Kevin Forrest's
17 residence.

18 Q. So I want to now direct your attention to October 2nd of
19 2017.

20 What, if anything, happened on that day?

21 A. We executed a search warrant at Kevin Forrest's residence.

22 Q. And where was the search warrant executed?

23 A. 2903 West Lanvale Street, Baltimore, Maryland.

24 Q. At what time was the warrant executed?

25 A. Approximately 7:15 p.m.

~~AANONSEN - DIRECT~~

1 Q. And when you arrived at that residence on that particular
2 day, how did you first attempt to make entry?

3 A. We first attempt by conducted a knock-and-announce. It's
4 where we knock on the door several times very hard and announce
5 the presence of police.

6 Q. And did someone answer the door?

7 A. Nobody came to the door.

8 Q. Did you ultimately enter?

9 A. Yes, we did.

10 Q. How?

11 A. We used force to enter the residence.

12 Q. And when you knocked on the door, did you expect that
13 there would be an answer?

14 A. We did, because we had been -- we had a pre-raid
15 surveillance team out that had observed Mr. Forrest enter the
16 residence only minutes prior to our arrival.

17 Q. So after you forced entry, did you ultimately enter the
18 residence?

19 A. Yes.

20 Q. And when you entered, did you encounter anyone inside?

21 A. Yes; but not immediately. We -- there was a stairwell
22 immediately entering the front door, then a main area. We held
23 off on the stairwell and swept the main area of the floor. We
24 were not able to locate anybody.

25 We made our presence known. We kept yelling, "Police.

~~AANONSEN - DIRECT~~

1 Come out. Come out. Police," with no response. We walked to
2 the top of the steps. That's where we encountered Mr. Forrest
3 in the threshold of the master bedroom doorway holding a
4 cell phone.

5 Q. And when you encountered Mr. Forrest in that area, what
6 happened?

7 A. We began shouting commands at him to get on the ground.
8 "Show us your hands. Get on the ground."
9 And he continued to ignore our commands.

10 Q. What happened next?

11 A. Eventually, he finally did discard the cell phone and got
12 on the ground, and then we placed him in handcuffs.

13 Q. And I want to come back to the cell phone -- I will come
14 back to the cell phone in a little bit.

15 But did someone recover the cell phone?

16 A. Yes.

17 Q. And did you observe the cell phone at that time?

18 A. Yes.

19 Q. Can you describe what was on the phone.

20 A. When I looked over at the cell phone that was on the
21 ground, it was an active video stream of the surveillance
22 footage inside and outside of 2903 West Lanvale.

23 Q. Now, ultimately, Agent Aanonsen, did you search the house?

24 A. Yes.

25 Q. Can you tell us what was recovered.

~~AANONSEN - DIRECT~~

1 **A.** Recovered three firearms, over 350 rounds of ammunition, a
2 bulletproof vest, five cell phones, two extended magazines, and
3 jail letters from Northern Neck Regional Jail.

4 **Q.** Were there also vehicles at the location?

5 **A.** Yes. There's a silver 2008 Maserati and a red 2014
6 Silverado.

7 **Q.** Was there anything unusual or that caught your attention
8 about either vehicle?

9 **A.** Yes. Later in the process, a K9 scan was connected --
10 conducted on both vehicles, indicated positive. We then
11 conducted a search. And inside the red 2014 Silverado, we
12 located two police scanners, actively receiving police
13 transmissions.

14 **Q.** Ultimately, were photos taken of the items that were
15 recovered?

16 **A.** There were.

17 **Q.** So I want to start by showing you
18 Government's Exhibit SW-11-A.

19 First, can you tell us what we're looking at here.

20 **A.** That is the front, main entrance to
21 2903 West Lanvale Street.

22 **Q.** Turning to SW-11-B.

23 Can you tell us what we're looking at here.

24 **A.** That's the upstairs rear bedroom.

25 **Q.** And now SW-11-C.

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1 What are we looking at here?

2 **A.** That's the interior shot of that prior -- on the wall is
3 the live video stream of all the surveillance videos -- or
4 cameras.

5 **Q.** Turning to SW-11-D.

6 What are we looking at here?

7 **A.** This was one of the items we located. It was in the
8 upstairs main closet. It was over \$15,000 in multiple
9 denominations of U.S. currency in a shoe.

10 **Q.** Turning to SW-11-E.

11 Can you tell me what we're looking at here.

12 **A.** This is a bulletproof vest we recovered.

13 **Q.** SW-11-G.

14 What are we looking at here?

15 **A.** Two firearms boxes located behind the mattress near the
16 headboard of the master bedroom.

17 **Q.** SW-11-H.

18 What are we looking at here?

19 **A.** Open shot of one of the boxes with a Glock .40-caliber
20 pistol and two extended magazines.

21 **Q.** SW-11-I.

22 **A.** That was the other firearm box located at the head of the
23 bed, one magazine.

24 **Q.** SW-11-J.

25 **A.** Firearm was recovered from under the bed. It's a

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1 Springfield XD9.

2 Q. SW-11-K.

3 What are we looking at here?

4 A. Numerous rounds of ammunition.

5 Q. And were these recovered from inside of the location?

6 A. Yes.

7 Q. And SW-11-L.

8 A. Same shot, just pulled some of the rounds out.

9 Q. Turning to SW-11-O, what are we looking at here?

10 A. This was a bag located in the upstairs main closet that
11 contained an Aero Precision AR-style pistol, multiple rounds of
12 ammunition.

13 Q. SW-11-P.

14 A. That's the contents of that bag just laid out for a
15 picture.

16 Q. SW-11-Q.

17 A. This is one of the computers we ended up seizing.

18 Q. SW-11-R.

19 A. A digital scale.

20 Q. SW-11-S.

21 A. 2008 Maserati parked out front.

22 Q. SW-11-T.

23 A. 2014 red Silverado.

24 Q. And was that the other vehicle at the location?

25 A. That's correct.

~~AANONSEN~~ - DIRECT

1 Q. And turning now to SW-11-W.

2 Can you tell us what we're looking at here.

3 A. That's Mr. Forrest. We ultimately made the decision not
4 to seize the currency at the residence. So you can see here
5 one of the officers is actually counting the money out in front
6 of him, and we provided him a receipt.

7 Q. Turning now to SW-11-M, can you tell us what we're looking
8 at here.

9 A. This is one of the walls in the bedroom with several
10 photos on it.

11 Q. And SW-11-N.

12 What are we looking at here?

13 A. Same thing. These were photos on the wall in the bedroom.

14 Q. And were you able to identify the people in some of these
15 photos?

16 A. Yes. I had seen some of these photos before.

17 Q. Had you seen some of the photos in other parts of your
18 investigation?

19 A. Yes.

20 Q. I'm going to turn your attention now to
21 Government's Exhibit IC-46.

22 What are we looking at here?

23 A. This is a photograph recovered from Dante Bailey's
24 iCloud account.

25 Q. And is this one of the photos that we saw on the wall of

~~AANONSEN~~ - DIRECT

1 Mr. Forrest's house?

2 A. Yes.

3 Q. Now, finally I want to turn your attention to SW-11-X.

4 Can you tell me what we're looking at here.

5 A. This was just an overall shot of the firearms and
6 ammunition recovered from the residence.

7 Q. Now, I believe that you told us earlier that there was
8 some paperwork that was recovered.

9 A. That's correct.

10 Q. So I want to show you Government's Exhibit SW-11-U.
11 What are we looking at here?

12 A. These are multiple documents that I recovered addressed to
13 Mr. Forrest at 2903 West Lanvale.

14 Q. And, finally, SW-11-V.

15 A. These are two particular documents recovered. One is a --
16 well, they're both from Northern Neck Regional Jail, both
17 addressed to Mr. Kevin Forrest at 2903 West Lanvale. The
18 bottom envelope is marked "D. Bailey." And the top envelope is
19 marked "Tara Whyte."

20 Q. Now, I'm going to walk up to you
21 Government's Exhibit GP-17.

22 (Handing.)

23 Can you tell me what Government's Exhibit GP-17 is.

24 A. It's one of the envelopes in the picture from Tara Whyte
25 with the note inside.

~~AANONSEN - DIRECT~~

1 Q. And looking back at Government's Exhibit SW-11-V, is this
2 the envelope that's on the top of the two envelopes on the
3 screen?

4 A. That's correct.

5 Q. And is the contents of that envelope the yellow letter
6 that you -- that we see in Government's Exhibit SW-11-V?

7 A. That's correct.

8 Q. Now, I'm going to turn to Government's Exhibit GP-17-A.
9 Can you tell me what we're looking at here.

10 A. Photocopy of the same envelope.

11 Q. And looking, first, at the envelope on Page 1 of GP-17-A,
12 can you tell me what the postmark is.

13 A. September 27th, 2017.

14 Q. And when is that in relation to when the search warrant
15 was executed?

16 A. Five days prior.

17 Q. Turning to Page 2 of Government's Exhibit GP-17-A, can you
18 tell me what we're looking at here.

19 A. This is a photocopy of the contents of that envelope.

20 Q. Now, can you read the letter for us.

21 A. Sure. May I read from the actual letter?

22 Q. Yes.

23 A. It says [reading]: Hollywood, how are you? My name is
24 Tara. I'm Gutta's friend. I was told to give you this
25 address: 2609 Fairview Avenue, Apartment D. Give this address

~~AANONSEN - DIRECT~~

1 to Crazy and tell him to pop a bottle of champagne for him.

2 Q. Now, Agent Aanonsen, you described a cell phone earlier
3 that was in Mr. Forrest's possession when you entered the
4 residence.

5 Was the cell phone seized?

6 A. Yes.

7 Q. And while it was being processed, what happened with the
8 phone?

9 A. It continued to receive phone calls, text messages,
10 alerts.

11 Q. And were any of them significant in your investigation?

12 A. Yes.

13 Q. Can you explain.

14 A. During the processing of evidence, the phone received a
15 missed call from a Crazy Homie.

16 Q. I'm going to show you Government's Exhibit SW-11-Y.

17 Can you tell me what we're looking at here.

18 A. A screenshot of what I just described with a missed call
19 30 minutes prior from Crazy Homie.

20 Q. Can you just tell us what the date is on this particular
21 screenshot.

22 A. October 2nd, 2017.

23 Q. And is there an indication about what time or how long ago
24 the missed call was?

25 A. It would have been around 8:35 p.m.

~~AANONSEN - DIRECT~~

1 Q. Now, you told us earlier that Crazy was a subject of your
2 investigation.

3 Can you remind us who went by the name of Crazy.

4 A. Malik Thompson.

5 Q. And based on your investigation, did you uncover
6 connections between Mr. Thompson and Mr. Bailey?

7 A. Yes.

8 Q. I'm going to first show you Government's Exhibit SM-6,
9 which has come in as an Instagram account belonging to
10 Mr. Bailey. And I'm going to turn to Page 78.

11 Can you tell us who's depicted in this photograph.

12 A. Yes. The individual in the center is Dante Bailey. The
13 individual to his left is Malik Thompson (indicating).

14 Q. And can you just read this last part of the text above the
15 photograph.

16 A. "Free Crazy."

17 Q. Now, I want to turn your attention to Government's
18 Exhibit IC-67, which is from the iCloud account of Mr. Bailey.

19 Can you tell us who we're looking at here.

20 A. It's Malik Thompson, a/k/a Crazy.

21 Q. Now, I'm going to show you on the right side of the screen
22 another photograph from the Instagram account of Mr. Bailey --
23 I mean from the iCloud account of Mr. Bailey. This is IC-66.

24 Can you tell us what we're looking at on the right side of
25 the screen.

~~AANONSEN - DIRECT~~

1 **A.** Black semi-automatic handgun with an extended magazine.

2 **Q.** And on the left side of the screen in IC-67, can you tell
3 us what the individual you identified as Crazy is holding.

4 **A.** Appears to be a black semi-automatic handgun with an
5 extended magazine.

6 **Q.** Now, on the left side of the screen, I'm going to show you
7 Government's Exhibit IC-65.

8 Can you tell us who we're looking at here on the left side
9 of the screen.

10 **A.** Individual in the center is Dante Bailey.

11 **Q.** And can you describe what Mr. Bailey is wearing on the
12 left side of the screen.

13 **A.** A light- and medium-red tie-dye T-shirt with a pair of
14 Capris that are bleach-washed in the front with red marks.

15 **Q.** And can you tell us what the person in the right in IC-66
16 is wearing.

17 **A.** Remarkably similar outfit with bleach marks in the front
18 of a pair of jean-material pants and a light-/medium-red
19 tie-dye shirt.

20 **Q.** Now, Agent Aanonsen, after the missed call from
21 Crazy Homie was identified, was that same cell phone of
22 Mr. Forrest's searched pursuant to a search warrant?

23 **A.** Yes.

24 **Q.** I'm going to put up Government's Exhibit SW-11-V one more
25 time.

~~AANONSEN - DIRECT~~

1 And can you again tell us the date this letter was
2 postmarked.

3 A. September 27th, 2017.

4 Q. And were there any messages in the cell phone that you
5 searched that were relevant to your investigation around this
6 time?

7 A. Yes.

8 Q. So I'm going to show you Government's Exhibit SW-11-Z.
9 Can you tell us what we're looking at here.

10 A. This is a message received September 29th, 2017, from a
11 individual saved in the phone as Senba. It's a screenshot of
12 Cabela's ad for a Springfield Armory XD Mod.2 subcompact
13 handgun.

14 Q. And, again, what was the date on this particular message?

15 A. September 29th, 2017.

16 Q. And how long after that letter was postmarked that we were
17 just talking about?

18 A. Two days since it was postmarked.

19 Q. And is there a response from Mr. Forrest's phone to this
20 particular text?

21 A. Yes. It says [reading]: Okay. I want that. I see you
22 later.

23 Q. And was a Springfield Armory XD handgun recovered from
24 Mr. Forrest's residence?

25 A. Yes.

~~AANONSEN - CROSS~~

1 Q. So on the right side of the screen, I'm going to put up
2 Government's Exhibit -- well, actually, I'm going to walk up to
3 you Government's Exhibit F-29 (handing).

4 Do you recognize Government's Exhibit F-29?

5 A. Yes. It was a firearm recovered from the residence.

6 Q. And can you tell us what kind of firearm it is.

7 A. Springfield Armory XD subcompact handgun.

8 Q. So I'm going to put up Government's Exhibit F-29-A.

9 Can you tell us what we're looking at here on the right
10 side of the screen.

11 A. That's a photograph of this same firearm in its location
12 from the search warrant.

13 MS. PERRY: Thank you, Agent Aanonsen.

14 I don't have any further questions.

15 THE WITNESS: Thank you.

16 THE COURT: Ms. Whalen.

17 MS. WHALEN: Thank you.

18 CROSS-EXAMINATION

19 BY MS. WHALEN:

20 Q. Hello again, Agent Aanonsen.

21 A. Hello.

22 Q. The gun with the extended magazine that we saw pictures
23 of --

24 A. Yes.

25 Q. -- that was not recovered in the course of your

~~AANONSEN - CROSS~~

1 investigation?

2 **A.** It was not.

3 **Q.** And just like, you know, all the other social media with
4 guns, the rap videos with guns, no way of telling whether
5 they're real or not real; is that correct?

6 **A.** I couldn't tell you from a picture.

7 **Q.** All right. Now, you showed us what is
8 Search Warrant 11-V, the photograph of -- oh, there we go.

9 Thank you.

10 The photograph of some letters that were recovered at
11 Mr. Forrest's house; is that right?

12 **A.** That's right.

13 **Q.** Okay. The top one was the one you read us from
14 Tara Whyte; right?

15 **A.** That's correct.

16 **Q.** And the bottom one is one from Mr. Bailey (indicating);
17 correct?

18 **A.** That's correct.

19 **Q.** And the bottom one was dated September 17th of 2017;
20 correct?

21 **A.** I don't recall. I think the actual envelope has the
22 postmark on it. Maybe not. It looks like it's fold down here,
23 but . . .

24 **MS. WHALEN:** May I approach, Your Honor?

25 **THE COURT:** Yes.

~~AANONSEN - CROSS~~

1 **BY MS. WHALEN:**

2 **Q.** Let me show you what's been marked as
3 Defendant's Exhibit Number 10 for identification only.

4 Does this appear to be a copy of the Dante Bailey letter
5 (handing)?

6 **MS. PERRY:** Objection, Your Honor.

7 May we approach?

8 **THE COURT:** Okay.

9 (Bench conference on the record:

10 **MS. PERRY:** I apologize. I don't know where
11 Ms. Whalen is going with this. I do object to this letter
12 coming into evidence. I don't think it's admissible.

13 **MS. WHALEN:** I said "ID only."

14 **THE COURT:** I'm sorry. What?

15 **MS. WHALEN:** "ID only" is what I said.

16 **MS. PERRY:** Well --

17 **THE COURT:** ID only.

18 **MS. PERRY:** I don't think questions about the contents
19 of the letter are admissible. They were coming in as
20 statements of co-conspirators in furtherance of the conspiracy
21 in response to introducing the letter, subject to the
22 redactions that Ms. Whalen wanted. So I would object to the
23 reading of any portion of this letter.

24 **THE COURT:** Are you going any further than the
25 postmark on the letter?

~~AANONSEN - CROSS~~

1 **MS. WHALEN:** The post -- the date of the letter and
2 the absence of the person Champagne in the content of the
3 letter, that there's no reference of Champagne in the letter
4 from Mr. Bailey.

5 **THE COURT:** Okay. Which is ten days earlier, that
6 there's no reference to Champagne.

7 **MS. WHALEN:** Right.

8 **MS. PERRY:** I still don't think that's particularly
9 admissible. I'm not sure that I -- that it's --

10 **THE COURT:** I think under the circumstances, for
11 whatever it's worth, it's ten days earlier; there's a letter
12 from Mr. Bailey that doesn't --

13 **MS. WHALEN:** Doesn't say anything about Champagne.

14 **THE COURT:** -- doesn't say anything about Champagne.
15 You have one on September 27th, at best.)

16 (Bench conference concluded.)

17 **BY MS. WHALEN:**

18 **Q.** I'm showing you Defendant's Exhibit 10. Can you indicate
19 what the date was on that letter from Dante Bailey.

20 **A.** September 17th, 2017.

21 **Q.** All right. And to your knowledge, it was sent from
22 Northern Neck Regional Jail?

23 **A.** Yeah. The envelope on the back was stamped with a stamp
24 from Northern Neck.

25 **Q.** And the content of that letter, I'm not asking you to read

~~AANONSEN - CROSS~~

1 it to us. But I'm asking you to take a look at it and let us
2 know whether he mentions Champagne in any way in the letter.

3 **A.** Sure.

4 (Reviews document.)

5 He does not appear to mention Champagne in this letter.

6 **Q.** Thank you.

7 Now, Champagne is, you indicated, Jay Greer; correct?

8 **A.** That was his nickname.

9 **Q.** Okay. And I'm going to show you what's Jail Call 33-T,
10 the transcript of it, which is on Page 109.

11 And this call, do you need to look at the front to refresh
12 your recollection?

13 **A.** Are you just going to show me the transcript?

14 **Q.** Yes.

15 **A.** Sure.

16 **Q.** Okay. So do you see jail call transcript Dante Bailey,
17 Tiffany Bailey, September 27th, 2015?

18 **A.** Yes.

19 **Q.** I'm going to ask you to take a look at the transcript.

20 And do you recall this call?

21 **A.** Yes.

22 **Q.** Okay. And Ms. -- the unknown person on the call is saying
23 [reading]: What's up with Champagne?

24 Right?

25 **A.** Yes.

~~AANONSEN - CROSS~~

1 Q. And Mr. Bailey is saying [reading]: He's stressin'. We
2 went on lockup.

3 Right?

4 MS. PERRY: Objection, Your Honor.

5 May we approach again?

6 THE COURT: Okay.

7 (Bench conference on the record:

8 MS. PERRY: I don't believe this call was ever played.

9 MS. WHALEN: Well, then I'll mark it as a defense
10 exhibit. I think -- it's in the collection of jail calls that
11 you've moved into evidence.

12 THE COURT: Authenticated or what --

13 MS. PERRY: I think that that's right.

14 MS. HOFFMAN: They're all marked. This call's never
15 been played. So I think it might be a little confusing to the
16 jury. They've never heard this call. And the transcripts, of
17 course, are not evidence.

18 MS. PERRY: I mean, I think the call is admissible. I
19 think it's being referenced as though it has been played and
20 he's heard it.

21 THE COURT: Do you just want to clarify that it has
22 not been played before.

23 MS. WHALEN: Okay. That's fine.

24 THE COURT: Okay.)

25 (Bench conference concluded.)

~~AANONSEN - CROSS~~

BY MS. WHALEN:

Q. Agent, this call that I'm talking to you about, J-33-T, do you have a recollection as to whether that has been played in the courtroom?

A. I mean, not specifically. There was a ton played.

Q. Sure. All right. But you are familiar with the call; correct?

A. Yes.

Q. Okay. And just -- we were going over -- and so I'll mark this as Defendant's 14.

THE CLERK: 12.

MS. WHALEN: Oh, 12. Boy, I'm jumping. Thank you.

BY MS. WHALEN:

Q. They're talking about Champagne (indicating); right?

A. It appears.

Q. Okay. And Mr. Bailey is telling someone down here [reading]: I mean, you know, how we get down. I mean, you know, how I get down. And, you know, he wanna be my son anyway.

Right?

A. Yes, that's what it says.

Q. Now, Jay Greer was arrested in connection with this investigation; is that correct?

A. That's correct.

Q. Approximately when was he arrested?

~~AANONSEN - CROSS~~

1 A. September 27th, 2016.

2 Q. Was that after the search of his apartment that you
3 mentioned on Fairview?

4 A. Yes.

5 Q. All right. And obviously -- well, maybe not obviously,
6 but from this call that we were just kind of going over, at
7 some point it looks like Mr. Greer and Mr. Bailey were
8 incarcerated together; would you agree?

9 A. Yeah. Wasn't the date on that call 2015?

10 Q. It was.

11 A. Yeah.

12 Q. Okay. Now, the -- when you as part of the Government
13 enter into an agreement with an individual that they will
14 cooperate with you, when that happens, you take every step that
15 you can to make sure their name is not public; correct?

16 A. I mean, in what regards?

17 Q. Well, you don't -- you and/or the Government do not put,
18 for instance, Jay Greer's name in any kind of document that
19 would be accessible to his co-defendants to know that he cut a
20 deal with the Government; right?

21 A. I mean, we do our best, but some of the information
22 provided by these people could be read into and interpreted on
23 who had said that.

24 Q. Right. But you do your best to make sure that no one
25 knows who cut a deal with the Government; right?

~~AANONSEN - CROSS~~

1 **A.** I mean, word gets around pretty good, but we do our best.

2 **Q.** All right. But -- well, in fact, the Government doesn't
3 even provide names of witnesses until one week before trial;
4 correct?

5 **A.** Correct.

6 **Q.** And the Government doesn't give out witness statements
7 from, for instance, Jay Greer until one week before trial;
8 right?

9 **A.** I mean, in this case.

10 **Q.** Yes.

11 **A.** Yes.

12 **Q.** That's what happened; right?

13 **A.** Uh-huh.

14 **Q.** So March 11th of 2019 was when the Government gave out
15 Jay Greer's name as a witness -- potential witness in the case;
16 right?

17 **A.** Yes. That was a week prior. Correct.

18 **MS. WHALEN:** Thank you, sir. That's all I have.

19 **THE COURT:** Anyone else?

20 **MR. SARDELLI:** Just briefly, Your Honor.

21 CROSS-EXAMINATION

22 **BY MR. SARDELLI:**

23 **Q.** The Government showed a picture that included my client;
24 correct?

25 **A.** Throughout the case?

~~AANONSEN - REDIRECT~~

1 Q. No. Just now.

2 A. Yes.

3 Q. Okay. These guns, the one you testified about, they're
4 not my client's; correct?

5 A. No.

6 Q. None of the paperwork you talked about are not [sic] my
7 client's; correct?

8 A. That's correct.

9 MR. SARDELLI: No further questions, Your Honor.

10 THE COURT: Anyone else?

11 MR. TRAINOR: No questions.

12 MR. HAZLEHURST: No questions on behalf of Mr. Davis,
13 Your Honor.

14 THE COURT: All right. Any redirect?

15 MS. PERRY: Just very, very briefly, Your Honor.

16 REDIRECT EXAMINATION

17 BY MS. PERRY:

18 Q. Agent Aanonsen, the date of that transcript that you were
19 just shown, what was the date on that transcript -- or the
20 year?

21 A. 2015.

22 Q. And what was the year that you executed the search warrant
23 on Mr. Forrest's house?

24 A. Two years later, 2017.

25 Q. And I believe you were asked a number of questions about

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whether or not witnesses' names are disclosed.

Are there reasons that an individual might be suspected of cooperating?

MS. WHALEN: Objection, Your Honor.

THE COURT: Overruled.

THE WITNESS: Numerous.

BY MS. PERRY:

Q. And were there reasons in this particular case specific to Mr. Greer?

A. Yes, there were.

MS. WHALEN: Objection, Your Honor.

MS. PERRY: Nothing further.

THE COURT: Okay. Anything else?

(No response.)

THE COURT: Thank you, sir. You can step back down.

Can I see counsel at the bench on the scheduling.

(Bench conference on the record:

THE COURT: Obviously, we are not moving into the defense case today.

But you are, subject to checking exhibits and so forth, concluded?

MS. HOFFMAN: Yes.

MS. PERRY: Yes.

THE COURT: Okay. So I still think that I'll go ahead and -- I'm going to excuse the jury.

1 And let's see. Perhaps we can put motions on the
2 record now rather than waiting until Monday morning.

3 **MS. AMATO:** When the jury is excused, can I run to the
4 restroom, please, Your Honor?

5 **THE COURT:** Okay. Well, let me excuse the jury, and
6 you can run to the restroom while they're going out.

7 **MS. AMATO:** Sure. That's fine. Thank you.)
8 (Bench conference concluded.)

9 **THE COURT:** All right. Ladies and gentlemen, I do
10 believe that we've come to the close of the Government's case,
11 subject to them checking over exhibits and so forth, so we are
12 going to conclude for today.

13 I will not be asking you to come in tomorrow or
14 Friday.

15 I will be asking you to come back on Monday.

16 And if you could please come at 10 o'clock, the
17 Government's evidence is done, but the case is not over.

18 So please continue to keep an open mind. Don't talk
19 about the case. Leave your notes here.

20 As I indicated yesterday, I do think that we will at
21 some point next week conclude the case. That's the best I can
22 tell you.

23 But, again, please come back Monday morning at
24 10 o'clock. And thank you very much.

25 (Jury excused at 5:09 p.m.)

1 **THE COURT:** Okay. I will repeat when Ms. Amato comes
2 back.

3 But let me ask other counsel, when you think you --
4 whether it's tomorrow or Friday, when you think you might be
5 able to let me know if you have any objections or additional
6 jury instructions.

7 Can we by -- is close of business tomorrow reasonable,
8 or do you need until Friday?

9 I'll say close of business tomorrow, if possible.

10 **MS. WHALEN:** Okay. Thank you.

11 **MR. SARDELLI:** Does the Court wish to be notified,
12 Your Honor? Do you want us to file something?

13 **THE COURT:** Yes. You can -- if you want to just do it
14 by e-mail to chambers, that's fine.

15 Actually, what I need -- and it needs to be in some
16 format that Ms. James can use if I'm going to incorporate it
17 and/or make any edits. So I think that's Word that's used --

18 **MR. SARDELLI:** As long as she can cut and paste. I
19 understand, Your Honor.

20 **MR. HAZLEHURST:** Your Honor, I was going to be an
21 outlier and ask for Friday morning to just give us a chance to
22 convene together to look at our own versions and then . . .

23 **THE COURT:** Okay. Friday morning.

24 And where are we on the verdict sheet?

25 **MS. HOFFMAN:** Those I can get to Your Honor tomorrow.

1 I just haven't had a chance. I'm sorry. But I'll try to do
2 it --

3 **THE COURT:** Sure. You've been busy. But tomorrow
4 sometime for the verdict sheet?

5 **MS. HOFFMAN:** Yeah.

6 **THE COURT:** Okay. Ms. Amato, all we have done in your
7 absence is agree that if -- defense counsel and Mr. Hazlehurst
8 suggested that you all might confer if you have any additional
9 jury instructions or objections to the Government's proposals
10 that I might get them by Friday morning.

11 And the Government's going to get the proposed verdict
12 sheet in tomorrow.

13 I recall what everybody told me about the state of the
14 evidence and so forth. It's anticipated for Monday. And I
15 assume -- I understand everybody will have a better idea on
16 Monday.

17 Anything else that anybody -- anything different
18 anybody wants to tell me?

19 (No response.)

20 **THE COURT:** Okay.

21 **MS. HOFFMAN:** If possible, we would -- we haven't
22 gotten any updates from Defense on which witnesses they will be
23 calling. And we may have an objection or a motion, and so we
24 would like to know who's anticipated to be called on Monday.

25 **THE COURT:** Can you --

1 **MS. WHALEN:** I planned on trying to update tonight.

2 **THE COURT:** Great. If everybody can just update as
3 soon as possible so we see if there are going to be any issues.

4 Okay. So recognizing that you're -- well, I'm
5 thinking about getting the motions on the record. I was also
6 thinking about having counsel come to chambers at 9:30 on
7 Monday morning just to see where we are.

8 Perhaps it's better if counsel meet in chambers at
9 9:30 and we sort of talk about where things are and then first
10 thing Monday morning at 10:00 actually put motions on the
11 record, given that it's already 5:15.

12 **MS. HOFFMAN:** We defer to the Court on that and
13 defense.

14 **MS. WHALEN:** Thank you. That would be good,
15 Your Honor.

16 **MR. SARDELLI:** Yes, Your Honor. Thank you.

17 **THE COURT:** That's probably more reasonable for
18 everybody.

19 Okay. I might ask in that case -- I wonder if
20 Ms. Moyé has a way to contact the jurors.

21 **THE CLERK:** Yes.

22 **THE COURT:** I'm going to have Ms. Moyé tell the jurors
23 to come in at 10:30 instead of 10:00. So Monday we can meet at
24 9:30 in chambers, come into court at 10:00 with the clients,
25 and put the motions on the record. And then the jury will be

1 here at 10:30. Okay?

2 **MS. AMATO:** And so, Your Honor, in terms of
3 scheduling, if Defense is putting on their witnesses on Monday
4 and any stipulations, I guess the question is: When does the
5 Court anticipate closings?

6 **THE COURT:** Well, of course, it's a little hard for me
7 to predict without knowing how extensive the defense is going
8 to be.

9 Assuming that the defense case were presented and
10 finished on Monday, we would need some time to talk about
11 instructions and so forth. I mean, I would think that Tuesday
12 would be the earliest that we would have -- instructions are
13 going to take a while, and then arguments would get started on
14 Tuesday, is my thought.

15 **MS. AMATO:** So Your Honor instructs the jury first; is
16 that --

17 **THE COURT:** I do.

18 **MS. AMATO:** Okay.

19 **THE COURT:** I do. And it's going to take quite a
20 while.

21 **MS. AMATO:** All right. So the only thing I would not
22 want is for the Government to give their closing and then we --
23 you know, I just don't know the timing. But I would not want
24 the Government to give their closing and then we end the day
25 there. So I want to make sure that however it works out, that

1 at least one defense counsel --

2 **THE COURT:** At least one defense counsel should
3 have -- yes. I mean, the more we can finish in one day, the
4 better.

5 But, yes, that would certainly be my plan that there
6 would be an opportunity for at least one -- I would hope more
7 than that -- defense counsel to be heard.

8 I don't know if Government counsel has figured out yet
9 exactly how long they're going to be. Probably not.

10 I'm going to -- yes, that's fine. It will take a
11 while. And then there are five counsel that also want to be
12 heard, so it's going to take a while.

13 **MR. SARDELLI:** And I brought it up yesterday,
14 Your Honor, and I'm sure it got lost in the shuffle. But if
15 the Government could recirculate via e-mail the jury
16 instructions. I think they were going to do that, so I would
17 appreciate that.

18 **THE COURT:** Oh, okay. Yes, you were going to do that.
19 Yes. That would be helpful.

20 Okay. Anything else that would be helpful to talk
21 about right now?

22 (No response.)

23 **THE COURT:** All right. If there's anything -- I am
24 not going to be in on Friday. I'm here tomorrow. I'm not in
25 on Friday. But my office will be open. We will receive

1 communications. And I will see counsel in chambers at 9:30 on
2 Monday morning.

3 And everybody, including clients in the courtroom at
4 10:00, and we'll have the jury at 10:30.

5 Okay. We'll excuse the gallery.

6 **MS. HOFFMAN:** And, Judge Blake, I'm sorry. I just
7 remembered one thing. DEM-5 (indicating) --

8 **THE COURT:** I'm sorry?

9 **MS. HOFFMAN:** Before we officially rest our case, I
10 think -- and this can be Monday. But if we could land on
11 something for the photos, names, and nicknames, I think we need
12 to move that in.

13 **THE COURT:** Yes. You all can talk about it. I'll
14 make a suggestion. It's on two pages. The first page has the
15 pictures and nicknames of the individuals who are actually on
16 trial alphabetically.

17 And then second page has everybody else
18 alphabetically. Just a thought.

19 **MS. HOFFMAN:** We can agree to that.

20 **THE COURT:** If you want, spread it out a little bit
21 more. I don't think -- I mean, I think it makes sense to have
22 them on a smaller number of pages than all the many photographs
23 that they would have to flip through.

24 But, I mean, if Ms. Whalen genuinely does not like
25 that one page with everybody on it, then break it up into two,

1 maybe three at the most, pages and have a little more space in
 2 it and just list everybody alphabetically or something like
 3 that. See if you can arrange that.

4 **MS. WHALEN:** Thank you, Your Honor.

5 **THE COURT:** Okay. Anything else?

6 (No response.)

7 **THE COURT:** All right. I'm giving this juror note to
 8 you, Ms. Moyé.

9 And we'll see you all Monday morning at 9:30.

10 (Court adjourned at 5:18 p.m.)

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17 I, Douglas J. Zweizig, RDR, CRR, FCRR, do hereby certify
 18 that the foregoing is a correct transcript from the
 19 stenographic record of proceedings in the above-entitled
 20 matter.

21 _____
 22 /s/

23 Douglas J. Zweizig, RDR, CRR, FCRR
 24 Registered Diplomate Reporter
 25 Certified Realtime Reporter
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